



## San Bernardino Associated Governments

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•San Bernardino County Transportation Commission •San Bernardino County Transportation Authority  
•San Bernardino County Congestion Management Agency •Service Authority for Freeway Emergencies

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## AGENDA

### Mountain/Desert Committee Measure I Committee

**November 21, 2008**  
**9:00 a.m.**

**Town of Apple Valley**  
**14955 Dale Evans Parkway**  
**Apple Valley, CA**

### **Mountain/Desert Committee Membership**

#### **Chair**

**Brad Mitzelfelt**  
**Board of Supervisors**

**Lawrence Dale, Mayor**  
**City of Barstow**

**Mike Rothschild, Council Member**  
**City of Victorville**

#### **Vice Chair**

**Bill Jahn, Mayor Pro Tem**  
**City of Big Bear Lake**

**Mike Leonard, Mayor**  
**City of Hesperia**

**Bill Neeb, Council Member**  
**Town of Yucca Valley**

**Trinidad Perez, Mayor Pro Tem**  
**City of Adelanto**

**Rebecca Valentine, Council Member**  
**City of Needles**

**Dennis Hansberger**  
**Board of Supervisors**

**Rick Roelle, Council Member**  
**Town of Apple Valley**

**Jim Harris, Council Member**  
**City of Twentynine Palms**

*San Bernardino Associated Governments (SANBAG) is a council of governments formed in 1973 by joint powers agreement of the cities and the County of San Bernardino. SANBAG is governed by a Board of Directors consisting of a mayor or designated council member from each of the twenty-four cities in San Bernardino County and the five members of the San Bernardino County Board of Supervisors*

*In addition to SANBAG, the composition of the SANBAG Board of Directors also serves as the governing board for several separate legal entities listed below:*

***The San Bernardino County Transportation Commission**, which is responsible for short and long range transportation planning within San Bernardino County, including coordination and approval of all public mass transit service, approval of all capital development projects for public transit and highway projects, and determination of staging and scheduling of construction relative to all transportation improvement projects in the Transportation Improvement Program.*

***The San Bernardino County Transportation Authority**, which is responsible for administration of the voter-approved half-cent transportation transactions and use tax levied in the County of San Bernardino.*

***The Service Authority for Freeway Emergencies**, which is responsible for the administration and operation of a motorist aid system of call boxes on State freeways and highways within San Bernardino County.*

***The Congestion Management Agency**, which analyzes the performance level of the regional transportation system in a manner which ensures consideration of the impacts from new development and promotes air quality through implementation of strategies in the adopted air quality plans.*

*As a **Subregional Planning Agency**, SANBAG represents the San Bernardino County subregion and assists the Southern California Association of Governments in carrying out its functions as the metropolitan planning organization. SANBAG performs studies and develops consensus relative to regional growth forecasts, regional transportation plans, and mobile source components of the air quality plans.*

*Items which appear on the monthly Board of Directors agenda are subjects of one or more of the listed legal authorities. For ease of understanding and timeliness, the agenda items for all of these entities are consolidated on one agenda. Documents contained in the agenda package are clearly marked with the appropriate legal entity.*

**San Bernardino Associated Governments  
County Transportation Commission  
County Transportation Authority  
Service Authority for Freeway Emergencies  
County Congestion Management Agency**

**AGENDA**

**Mountain/Desert Committee  
\*Measure I Committee**

**November 21, 2008  
9:00 a.m.**

**Town of Apple Valley  
14955 Dale Evans Parkway  
Apple Valley, CA**

**CALL TO ORDER:  
(Meeting Chaired by Brad Mitzelfelt)**

- I. Attendance
- II. Agenda Notices/Modifications:
- II. Announcements:

1. **Possible Conflict of Interest Issues for the Mountain/Desert Committee Meeting of November 21, 2008.** Pg. 6

Note agenda item contractors, subcontractors and agents, which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

### **Consent Calendar**

2. **Attendance Register** Pg. 8

A quorum shall consist of a majority of the membership of each SANBAG Policy Committee, except that all County Representatives shall be counted as one for the purpose of establishing a quorum.

### **Discussion Items**

\* Items marked with an asterisk denote review by both the Mountain/Desert Committee and Measure I Committee.

3. **Fiscal Year 2010 Federal Appropriations Process and Project Nominations** Pg. 10

Review the Federal Appropriations Process and Project Nominations.  
**Jennifer Franco**

4. **SANBAG's Project Nomination Process for the Multi-year Federal Transportation Reauthorizatin Bill** Pg. 14

1. Approve SANBAG's coordination with Southern California stakeholders regarding the federal transportation reauthorization bill; and

2. Approve project nomination criteria for projects to consider for inclusion in the upcoming federal transportation reauthorization bill.  
**Jennifer Franco**

5. **2009 Mountain/Desert Committee Meeting Schedule** Pg. 20

Approve the 2009 Mountain/Desert Committee Meeting Schedule.  
**Duane Baker**

6. **Quarterly Administrative Report on SANBAG Federal Funding Programs** Pg. 34  
 1) Receive report on quarterly reporting and obligation status.  
 2) Adopt a finding of compliance with obligation requirements for all affected agencies. **Ty Schuiling**
7. **Freeway Corridors Toll Feasibility Study** Pg. 38  
 1) Authorize the expenditure of funds of an amount not to exceed \$241,000 to extend the toll feasibility study on I-15 to the Future High Desert Corridor. The services will be provided by PB Consult Inc. (Purchase Order No. P08208-01), KPMG Corporate Finance LLC (Purchase Order No. P08209-01), and Nossaman, Guthner, Knox & Elliott LLP (Purchase Order No. P08210-01).  
 2) Approve a budget amendment to the FY 2008/09 budget for an additional \$396,704 in TN 85009000. **Garry Cohoe**
8. **United States (US) 395 Interim Widening Project Funding** Pg. 43  
 Consider allocating future Measure I Major Local Highway Project (MLHP) funding towards US-395 Interim Widening Project.  
**Ellen Pollema**
- \*9. **Draft Measure I 2010—2040 Strategic Plan** Pg. 47  
 Receive information on the status of the Draft Measure I 2010-2040 Strategic Plan. **Duane Baker**

### **Public Comments**

Items under this heading will be referred to staff for further study, research, completion and/or future actions.

10. **Additional Items from Committee Members**
11. **Brief Comments by the General Public**

### **Additional Information**

**Acronym List**

**Pg. 92**

## **ADJOURNMENT:**

Complete packages of this agenda are available for public review at the SANBAG offices. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

**Next Mountain Desert Committee Meeting – Friday, December 19, 2008**

## Meeting Procedures and Rules of Conduct

### **Meeting Procedures**

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Board of Directors and Policy Committees.

### **Accessibility**

The SANBAG meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino, CA.

**Agendas** – All agendas are posted at 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino at least 72 hours in advance of the meeting. Staff reports related to agenda items may be reviewed at the SANBAG offices located at 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino and our website: [www.sanbag.ca.gov](http://www.sanbag.ca.gov).

**Agenda Actions** – Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors.

**Closed Session Agenda Items** – Consideration of closed session items *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

**Public Testimony on an Item** – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a "Request to Speak" form, provided at the rear of the meeting room, and present it to the Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

**Agenda Times** – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

**Public Comment** – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject within the Board's authority. *Matters raised under "Public Comment" may not be acted upon at that meeting. "Public Testimony on any Item" still apply.*

**Disruptive Conduct** – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for meetings. Your cooperation is appreciated!*

**SANBAG General Practices for Conducting Meetings  
of  
Board of Directors and Policy Committees**

**Basic Agenda Item Discussion.**

- The Chair announces the agenda item number and states the subject.
- The Chair calls upon the appropriate staff member or Board Member to report on the item.
- The Chair asks members of the Board/Committee if they have any questions or comments on the item. General discussion ensues.
- The Chair calls for public comment based on “Request to Speak” forms which may be submitted.
- Following public comment, the Chair announces that public comment is closed and asks if there is any further discussion by members of the Board/Committee.
- The Chair calls for a motion from members of the Board/Committee.
- Upon a motion, the Chair announces the name of the member who makes the motion. Motions require a second by a member of the Board/Committee. Upon a second, the Chair announces the name of the Member who made the second, and the vote is taken.

**The Vote as specified in the SANBAG Bylaws.**

- Each member of the Board of Directors shall have one vote. In the absence of the official representative, the alternate shall be entitled to vote. (Board of Directors only.)
- Voting may be either by voice or roll call vote. A roll call vote shall be conducted upon the demand of five official representatives present, or at the discretion of the presiding officer.

**Amendment or Substitute Motion.**

- Occasionally a Board Member offers a substitute motion before the vote on a previous motion. In instances where there is a motion and a second, the maker of the original motion is asked if he would like to amend his motion to include the substitution or withdraw the motion on the floor. If the maker of the original motion does not want to amend or withdraw, the substitute motion is not addressed until after a vote on the first motion.
- Occasionally, a motion dies for lack of a second.

**Call for the Question.**

- At times, a member of the Board/Committee may “Call for the Question.”
- Upon a “Call for the Question,” the Chair may order that the debate stop or may allow for limited further comment to provide clarity on the proceedings.
- Alternatively and at the Chair’s discretion, the Chair may call for a vote of the Board/Committee to determine whether or not debate is stopped.
- The Chair re-states the motion before the Board/Committee and calls for the vote on the item.

**The Chair.**

- At all times, meetings are conducted in accordance with the Chair’s direction.
- These general practices provide guidelines for orderly conduct.
- From time-to-time circumstances require deviation from general practice.
- Deviation from general practice is at the discretion of the Board/Committee Chair.

**Courtesy and Decorum.**

- These general practices provide for business of the Board/Committee to be conducted efficiently, fairly and with full participation.
- It is the responsibility of the Chair and Members to maintain common courtesy and decorum.

*Adopted By SANBAG Board of Directors January 2008*

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority  
 ■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

## *Minute Action*

AGENDA ITEM: 1

**Date:** November 21, 2008

**Subject:** Information Relative to Possible Conflict of Interest

**Recommendation\*:** Note agenda items and contractors/subcontractors which may require member abstentions due to possible conflicts of interest.

**Background:** In accordance with California Government Code 84308, members of the Board may not participate in any action concerning a contract where they have received a campaign contribution of more than \$250 in the prior twelve months from an entity or individual. This agenda contains recommendations for action relative to the following contractors:

Item No.	Contract No.	Contractor/Agents	Subcontractors
7	P08208-01	PB Consult Inc. <i>Kent Olsen, Principal Consultant</i>	Parsons Stantec
7	P08209-01	KPMG Corporate Finance LLC <i>Andy Garbatt Managing Director</i>	N/A

\*

*Approved  
 Mountain Desert Committee*

Date: \_\_\_\_\_

Moved: \_\_\_\_\_ Second: \_\_\_\_\_

In Favor: \_\_\_\_\_ Opposed: \_\_\_\_\_ Abstained: \_\_\_\_\_

Witnessed: \_\_\_\_\_



Item No.	Contract No.	Contractor/Agents	Subcontractors
7	PO8210-01	Nossaman, Guthner, Knox & Elliott LLP <i>Corey Boock</i> <i>Partner</i>	N/A

***Financial Impact:*** This item has no direct impact on the budget.

***Reviewed By:*** This item is prepared monthly for review by the Board of Directors and Policy Committee members.

# MOUNTAIN/DESERT POLICY COMMITTEE ATTENDANCE RECORD – 2008

Name	Jan	Spec. Mtg Feb	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
<b>Trinidad Perez +</b> City of Adelanto	X		**		**	X		X	X	X			
<b>Rick Roelle</b> Town of Apple Valley	X	X	**	X	**	X	X		X	X	X		
<b>Lawrence Dale</b> City of Barstow	X	X	**	X	**	X	X	X	X	X	X		
<b>Bill Jahn</b> City of Big Bear Lake	X	X	**	X	**	X	*		X	X	X		
<b>Mike Leonard</b> City of Hesperia		X	**	X	**	X	X	X	X	X	X		
<b>Rebecca Valentine</b> City of Needles	X	X	**		**	X	X	X	X	X	X		
<b>Jim Harris</b> City of Twentynine Palms	X	X	**	X	**		X	X	X	X	X		
<b>Mike Rothschild</b> City of Victorville	X	X	**	X	**	X	X			X	X		
<b>Bill Neeb ***</b> Town of Yucca Valley			**		**	X	X	X	X	X	X		
<b>Brad Mitzelfelt</b> County of San Bernardino	X	X	**	X	**		X	X	X	X	X		
<b>Dennis Hansberger</b> County of San Bernardino	X	X	**	X	**		X	X	X		X		

\*Non-voting City Representative attended  
+ Measure I Committee representative

\*\*The Mountain/Desert Committee did not meet

\*\*\* New SANBAG Board Member

X = Member attended meeting.

\* = Alternate member attended meeting. Empty box = Member did not attend meeting Crossed out box = Not a Board Member at the time.

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# MOUNTAIN/DESERT POLICY COMMITTEE ATTENDANCE RECORD – 2007

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
<b>Trinidad Perez +</b> City of Adelanto	X	X	X	**	**	X	**	X	X	X	X	X
<b>Rick Roelle</b> Town of Apple Valley	X		X	**	**	X	**	X	X		X	X
<b>Lawrence Dale</b> City of Barstow	X	X	X	**	**	X	**	X			X	X
<b>Bill Jahn</b> City of Big Bear Lake			X	**	**		**	X		X	X	X
<b>Mike Leonard</b> City of Hesperia	X		X	**	**	X	**	X	X	X	X	X
<b>Rebecca Valentine</b> City of Needles	X	X	X	**	**	X	**	X	X	X	X	X
<b>Jim Harris ***</b> City of Twentynine Palms	X		X	**	**	X	**	X			X	X
<b>Mike Rothschild</b> City of Victorville	X	X	X	**	**	X	**	X	X		X	*
<b>Chad Mayes</b> Town of Yucca Valley		X	X	**	**	X	**	X	X	*	X	
<b>Brad Mitzelfelt</b> County of San Bernardino	X	X		**	**	X	**	X		X	X	X
<b>Dennis Hansberger</b> County of San Bernardino		X	X	**	**	X	**	X	X	X	X	X

\*Non-voting City Representative attended  
+ Measure I Committee representative

\*\*The Mountain/Desert Committee did not meet

\*\*\* New SANBAG Board Member

X = Member attended meeting. \* = Alternate member attended meeting. Empty box = Member did not attend meeting. Crossed out box = Not a Board Member at the time.

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- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority  
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies
- 

***Minute Action***

AGENDA ITEM: 3

**Date:** November 21, 2008

**Subject:** Fiscal Year 2010 Federal Appropriations Process and Project Nominations

**Recommendation:**\* Review the Federal Appropriations Process and Project Nominations.

**Background:** ***Annual Federal Appropriations Process***

The annual federal appropriations process is undertaken each year by Congress and typically begins in late-January when Congressional delegations begin to accept projects to consider for inclusion in an appropriations bill. The appropriations process is directly linked to discretionary spending as it pertains to congressional budget authority subject to annual funding decisions.

While there are 12 different appropriations bills, each year SANBAG seeks funds from the annual Transportation, Housing and Urban Development appropriations (THUD) bill.

The federal fiscal year (FY) begins each October 1<sup>st</sup> and ends each September 30<sup>th</sup> and so the appropriations bill is advocated for one year in advance. For example, in 2009, SANBAG will begin advocating for discretionary spending requests to be included in the Fiscal Year 2010 THUD bill.

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*Approved*  
*Mountain/Desert Committee*

*Date:* \_\_\_\_\_

*Moved:* \_\_\_\_\_ *Second:* \_\_\_\_\_

*In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_ *Abstained:* \_\_\_\_\_

*Witnessed:* \_\_\_\_\_

In reviewing the appropriations process, it is important to understand the difference between the terms “authorization” and “appropriation.” An authorization establishes continues or modifies a program or grant authority for a given program to do something; similar to approving money to go into a federal checking account for a specific program. An appropriation, however, is specific budget authority for the program or agency to withdraw a specific amount of funds from the federal Treasury to do what is authorized to do; similar to “writing a check” on the federal checking account. More specifically, and this process pertains to transportation, the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU), which is a federal transportation authorization bill, directs spending that is appropriated on an annual basis. The annual appropriations process “writes the check” for projects and funding levels authorized by SAFETEA-LU and may also appropriate additional discretionary funds.

#### ***SANBAG’s Evaluation of the Appropriations Process***

Each year, SANBAG is guided by its board approved legislative platform to seek legislative remedies for transportation policy and funding of transportation infrastructure projects. Additionally, SANBAG annually adopts a list of specific projects to advocate for as a part of the federal appropriations process. Since the passage of SAFETEA-LU, SANBAG staff – along with the assistance of Van Scoyoc Associates, SANBAG’s federal advocates – has tracked a trend whereby earmarks for discretionary funding provided by the annual appropriations process continue to be extremely competitive.

- FY 2007: Congress did not complete a transportation appropriations bill, choosing to fund programs through a year-long Continuing Resolution. In the absence of legislation, discretionary spending was left to the Department of Transportation.
- FY 2008: SANBAG received over \$4 million in earmarked funds in the transportation appropriations bill. This was in addition to the FY 2008 funding provided by SAFETEA-LU, the current surface transportation bill.
- FY 2009: Congress passed a Continuing Resolution which funds the federal government through March 5<sup>th</sup>. House and Senate Appropriations conferees are expected to work to pass final versions of the FY 2009 bills in January.

SANBAG's Congressional delegation includes Senator Feinstein, Senator Boxer, Congressman Baca, Congressman Dreier, Congressman Lewis, Congressman McKeon and Congressman Miller. For the FY2008 appropriations bill, most of our Congressional delegates supported one to three of this region's requests for discretionary funds.

### ***Current Political Factors Affecting the Appropriations Process***

During this past legislative cycle, the National Surface Transportation Policy and Revenue Study Commission, also known as the 1909 Commission, issued a report that provided recommendations to Congress to increase the federal role for transportation infrastructure. The report's recommendations for a \$0.25-\$0.40 federal gas tax increase was criticized by the Administration and some in Congress, signaling possible resistance to identifying revenue that will adequately fund transportation infrastructure needs for maintenance and new construction.

- The result of the current elections will create changes in committee assignments and a change of legislative priorities; the extent of these changes is not yet known.
- Transportation as a federal priority continues to fall below other legislative priorities in Congress.
- The Highway Trust Fund continues to fall short of funding needs as mandated by SAFETEA-LU; the fund was nearly bankrupt in September.
- If earmarks are provided in a given THUD appropriations bill, the number and the amount of such earmarks continues to shrink.

### ***SANBAG's Recommendations for FY2010 Appropriations***

Due to the state of the Highway Trust Fund, SANBAG encourages the Board to advocate for a permanent solution to keep the fund solvent. Additionally, SANBAG encourages the Board to continue advocating for the same projects submitted to Congress last year for discretionary funds to illustrate a continued need for these earmarks.

The projects listed below, as approved in January 2008, reflect the Board's commitment to address hours of delay and congestion relief along three major highway corridors – those corridors being I-10, I-15 and I-215 – and receive additional specialized funds for other projects of regional benefit where potential federal monies could help advance a project to the next phase. Please recognize that when this list of projects is submitted to Congress, SANBAG officials will be asked by our delegation offices to rank them in terms of priority importance.

FY2010 Federal Appropriations – Staff Recommendation

Congressional District	Project	Amount Requested
Baca	I-10 Corridor: Cherry/Citrus Improvement Project	\$3 million
Baca	San Bernardino sbX Project	\$4 million
Dreier	I-15 Corridor: Base Line Interchange	\$1.5 million
Lewis	Needles Highway	\$5 million
Lewis/McKeon	I-15 Corridor: Devore Interchange Improvements	\$5 million
Lewis/McKeon	I-15 Corridor: La Mesa Nisqualli Interchange	\$5 million
Lewis/McKeon	I-15 Corridor: Ranchero Rd. Interchange	\$3 million
McKeon	HDC: Development and Interchange, Phase I	\$5 million
McKeon	Victor Valley Transit Facility	\$3 million

The Board's review of the projects listed above should be mindful that the annual appropriations process is extremely competitive and that projects submitted to Congress for federal appropriation are typically smaller requests than projects submitted for the multi-year transportation authorization bill.

**Financial Impact:** Funding for SANBAG's legislative program is consistent with the adopted SANBAG Budget Task No. 50309000.

**Reviewed By:** This item was reviewed by the Administrative Committee on November 12, 2008 (*Meeting chaired by Paul Eaton*) and is scheduled for review by the Plans and Programs Committee on November 19, 2008, the Commuter Rail Committee on November 20, 2008, and the Mountain Desert Committee on November 21, 2008.

**Responsible Staff:** Jennifer Franco, Director of Intergovernmental and Legislative Affairs

## *Minute Action*

AGENDA ITEM: 4

**Date:** November 21, 2008

**Subject:** SANBAG's Project Nomination Process for the Multi-year Federal Transportation Reauthorization Bill

**Recommendation:** \*

1. Approve SANBAG's coordination with Southern California stakeholders regarding the federal transportation reauthorization bill; and
2. Approve project nomination criteria for projects to consider for inclusion in the upcoming federal transportation reauthorization bill

**Background:** The current federal transportation authorization act, also known as the Safe, Accountable, Flexible, and Efficient Transportation Equity Act – A Legacy for Users (SAFETEA – LU), will expire after September 30, 2009. The national debate on the form, content, and funding provisions of the next authorization bill has already begun. This item is intended to solicit the Board for input to help shape SANBAG's advocacy effort for SAFETEA-LU reauthorization.

### *Appropriations vs. Authorization*

The process to advocate for projects to include in the upcoming SAFETEA-LU reauthorization bill differs from the process to include projects in the upcoming appropriations bill. An authorization establishes, continues or modifies a program or grant authority for a given program to do something; similar to approving money to go into a federal checking account for a specific program.

\*

*Approved*  
*Mountain/Desert Committee*

*Date:* \_\_\_\_\_

*Moved:* \_\_\_\_\_ *Second:* \_\_\_\_\_

*In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_ *Abstained:* \_\_\_\_\_

*Witnessed:* \_\_\_\_\_



An appropriation, however, is specific budget authority for the program or agency to withdraw a specific amount of funds from the federal Treasury to do what is authorized to do; similar to “writing a check” on the federal checking account. More specifically, and this process pertains to transportation, the SAFETEA-LU reauthorization bill will provide a multi-year funding commitment for transportation and will direct spending that will be appropriated on an annual basis. The annual appropriations process will “write the check” for projects and funding levels authorized by the next reauthorization bill and may also appropriate additional discretionary funds.

#### ***Anticipated Upcoming Schedule of Events***

The House Transportation and Infrastructure (T&I) Committee Chairman Jim Oberstar intends to release a “detailed summary” of the House transportation reauthorization bill at the end of February, followed by a series of trips around the country to build support for the bill. The Committee hopes to vote on the bill by mid-April, followed by a House floor vote before Memorial Day.

Senator Barbara Boxer, chair of the Senate Environment and Public Works (EPW) Committee, has said she will follow the House, adding to the bill where Senate priorities are needed.

#### ***SANBAG’s SAFETEA-LU Reauthorization Principles***

In preparation for the upcoming advocacy effort regarding the next transportation authorization bill, the Board adopted principles for SAFETEA-LU reauthorization in July 2008 (please see Attachment #1). This document is being used to raise awareness of SANBAG’s intentions for the next authorization with our Congressional delegation, local partners, other statewide and national organizations working on authorization policy and positions.

In addition to the Board’s approval of the SANBAG principles for SAFETEA-LU reauthorization, the Board also approved statewide principles and directed SANBAG staff to continue its work with the statewide effort to solidify these principles; this effort is still ongoing. SANBAG staff also recommends Board direction to coordinate with our Southern California stakeholders to develop a region-wide set of principles that addresses transportation issues unique to the entire region and to partner together on advocating for such issues.

***Suggested Criteria for Reauthorization Bill Projects***

The next transportation authorization bill is likely to include an opportunity to advocate for specific projects. As such, SANBAG staff has developed criteria by which local jurisdictions may nominate projects for inclusion in SANBAG's advocacy effort (please see Attachment #2). The attached document provides guidance in selecting specific projects to advocate for in the next transportation authorization bill and assures the most competitive projects will be nominated for this purpose.

SANBAG staff recommends project nominations be submitted to SANBAG by December 1, 2008, which will, in turn, be presented to December's Administrative Committee for consideration.

***Financial Impact:*** Funding for SANBAG's legislative program is consistent with the adopted SANBAG Budget Task No. 50309000.

***Reviewed By:*** This item was reviewed and unanimously recommended for approval by the Administrative Committee on November 12, 2008 (*Meeting chaired by Paul Eaton*), the Plans and Programs Committee on November 19, 2008 (*Meeting chaired by Mark Nuaimi*), and is scheduled for review by the Mountain Desert Committee on November 21, 2008.

***Responsible Staff:*** Jennifer Franco, Director of Intergovernmental and Legislative Affairs

## **ATTACHMENT #1**

### **San Bernardino Associated Governments on Federal Transportation Authorization 2008**

The current federal transportation authorization act, also known as the Safe, Accountable, Flexible, and Efficient Transportation Equity Act – A Legacy for Users (SAFETEA – LU), will expire after September 30, 2009. As a new authorization bill is crafted in Congress, the following topic areas are vital to the preservation and operation of highways and transit systems in San Bernardino County.

**1. Rebuild and maintain transportation infrastructure in a good state of repair.**

Conditions on San Bernardino County's surface transportation systems are deteriorating and require near doubling of the current financial commitment to bring the system to a state of good repair.

- Give a high priority to preservation and maintenance of the existing system of roads, highways, bridges and transit.

**2. Ensure the financial integrity of the Highway and Transit Trust Funds, and authorize innovative funding mechanisms.**

Current transportation revenue streams are not appropriately funding transportation infrastructure. The current per gallon gas tax will not provide the needed revenue funding stability. Funding for transportation infrastructure requires a steady, reliable funding source spanning multiple years.

- Maintain a user-based, pay-as-you-go system.
- Continue the budgetary protections for the Highway Trust Fund and General Fund supplementation of the Mass Transportation Account.
- Assure a federal funding commitment that supports a program size based on an objective analysis of national needs.
- Diversify and augment trust fund resources, authorize states to implement innovative funding mechanisms, and alternatives to the per-gallon gasoline tax that are accepted by the public.
- Reserve earmarks only for those projects in approved transportation plans and programs.

**3. Enhance mobility through congestion relief within and between San Bernardino County metropolitan areas.**

Southern California requires federal assistance to meet U.S. EPA air quality regulations. San Bernardino urban areas have some of the worst congestion and air quality in the nation.

- Increase funding for enhanced capacity for all modes aimed at reducing congestion and promoting mobility in the most congested areas.
- Provide increased state flexibility to implement performance-based infrastructure projects and public-private partnerships (P3), including innovative finance programs and interstate tolling.
- Consolidate federal programs by combining existing programs using needs, performance-based, and air quality criteria.
- Expand project eligibility within programs and increase flexibility among programs.

**4. Establish goods movement, as a national economic priority.**

The efficient movement of goods from ports of entry and across state and international boundaries increases the nation's ability to remain globally competitive and generate jobs. San Bernardino County's transportation system is greatly impacted by the movement of freight from the ports of Long Beach and Los Angeles to the rest of the nation.

- Create a new federal program and funding sources dedicated to relieving freight congestion.
- Ensure state and local flexibility in project selection.

- Grant priority for federal funding to projects of national significance that have a substantial state/local match.
- Fund mitigation of environmental and community impacts associated with goods movement.
- Prioritize the Southern California Consensus Corridor, which includes the Alameda Corridor East, I-10 and I-15.

## **5. Strengthen comprehensive environmental stewardship.**

Environmental mitigation needs to be considered as part of every project and program.

- Integrate consideration of climate change and joint land use-transportation linkages into the planning process.
- Provide funding for planning and implementation of measures that have the potential to reduce emissions and improve health such as new vehicle technologies, alternative fuels, clean transit vehicles, transit-oriented development and increased transit usage, ride-sharing, and bicycle and pedestrian travel.
- Provide funding to mitigate the air, water and other environmental impacts of transportation projects.
- Ensure regulation of emissions from interstate trucks and trains and international shipping sufficient to guarantee those sources contribute their fair share to attaining federal health standards.

## **6. Strengthen the federal commitment to safety and security.**

SANBAG recognizes that traffic safety saves lives, reduces injury, and assists in optimizing the flow of traffic.

- Increase funding for safety projects aimed at reducing fatalities.
- Support behavioral safety programs – speed, occupant restraint, driving under the influence of alcohol or drugs, road-sharing, etc. -- through enforcement and education.
- Address licensing, driver improvement, and adjudication issues and their impact on traffic safety.
- Assess and integrate emerging traffic safety technologies, including improved data collection systems.
- Fund a national program to provide security on our nation's transportation systems, including public transit.

## **7. Streamline Project Delivery**

It is critical that environmental clearances and reviews be done expediently, in a manner consistent with good stewardship of natural resources.

- Increase opportunities for state stewardship through delegation programs for NEPA, air quality conformity, transit projects, etc.
- Increase state flexibility for using at-risk design and design-build.
- Ensure that federal project oversight is commensurate to the amount of federal funding.
- Require federal permitting agencies to engage actively and collaboratively in project development and approval.
- Integrate planning, project development, review, permitting, and environmental processes to reduce delay.
- Align NEPA to CEQA where it makes sense to do so.

## **Federal Reauthorization Project Criteria**

San Bernardino Associated Governments (SANBAG) is formulating a strategy for the next transportation authorization bill, which is likely to include an opportunity to advocate for specific projects. Please assist SANBAG with identifying projects that will improve and maintain our existing transportation infrastructure in a manner that meets regional and national priorities by utilizing the criteria below:

- ***The nominated project is in the latest approved, conforming Regional Transportation Plan (RTP) AND in the Measure I (2010-2040) Expenditure Plan. (YES/NO)***  
Inclusion of a project in the approved, conforming RTP and in the Measure I expenditure plan demonstrates regional need, a financial commitment, and consistency with requirements to improve air quality.
- ***The nominated project has completed National Environmental Protection Act (NEPA) clearance or is in the clearance process. (YES/NO)***  
Projects that receive federal funds must complete the NEPA clearance process. Projects that have already completed or that are about to complete the NEPA process are considered more competitive.
- ***The nominated project is in the Regional Transportation Improvement Program (RTIP). (YES/NO)***  
The RTIP is a 5- year programming document that includes all regionally significant projects, regardless of funding source. Candidate projects not in the RTIP would have to be amended in, resulting in delay.
- ***Federal funding for this project would save Measure I funds for other projects. (YES/NO)***  
Federal funding for the nominated project would supplant Measure I funds, which could, in turn, be moved to other projects important to SANBAG.
- ***The nominated project is a freeway improvement, freeway interchange improvement, grade separation, rapid bus project (BRT), light rail, or commuter rail project. (YES/NO)***  
According to SANBAG's Measure I strategic planning process, particular emphasis has been given to the types of projects listed above. Nominated projects fitting one of the above descriptions are also more likely to match priorities in the next federal authorization bill.
- ***The nominated project is on a trade corridor of national significance. (YES/NO)***  
Trade corridors of national significance are key freight corridors as defined by Congress, which includes I-10, I-15 and the Alameda Corridor East. Nominated projects along I-10 and I-15 may include interchange and mainline improvements. Alameda Corridor East grade separations also meet this criterion.
- ***Nominated Valley freeway interchanges: in the top 10 of the interchange prioritization list. (YES/NO)***  
Nominated Valley freeway interchanges should be among the top 10 of SANBAG's interchange prioritization list.
- ***For Valley or Victor Valley interchanges or grade separations, the development share is committed. (YES/NO)***  
The development share has been identified and committed for the nominated project.
- ***Nominated Grade Separations: top ten on prioritized list AND already federalized, OR amount of proposed federal funding more than offsets the reduction in railroad contribution and cost of delay associated with NEPA compliance. (YES/NO)***  
Grade separation projects that are already federalized are preferred.
- ***Nominated project will be able to start construction by 2014. (YES/NO)***  
The nominated project will have completed all pre-construction phases in time to begin construction by 2014.
- ***The project is supported by multiple jurisdictions. (YES/NO)***  
The nominated project is supported by multiple jurisdictions.

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority  
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

## *Minute Action*

AGENDA ITEM: 5

**Date:** November 21, 2008

**Subject:** 2009 Mountain/Desert Committee Meeting Schedule

**Recommendation:\*** Approve the 2009 Mountain/Desert Committee Meeting Schedule.

**Background:** The SANBAG Mountain/Desert Committee has established a regular meeting schedule on the third Friday of each month, beginning at 9:00 a.m., at the Town of Apple Valley offices. Although a monthly schedule is adopted, it is acknowledged that when there are not sufficient business items to require a meeting, the meeting will be cancelled. It has also been the practice to modify the meeting date and time when the meeting has been rescheduled due to conflicts with other meetings or holiday schedules. SANBAG staff, however, has been directed to make every effort to minimize deviation from the regular schedule to insure continuity of meetings and participation.

A proposed 2009 meeting schedule is identified below for approval. Committee members and staff are urged to calendar these meetings for the coming year. Advance confirmation of meetings or cancellation notices are part of SANBAG's standard procedure for meeting preparation. The proposed meeting schedule conforms mostly to the third Friday of each month with a modification in September due to a conflict with the League of California Cities Annual Conference. The proposed schedule is as follows:

*Approved*  
*Mountain/Desert Committee*

*Date:* \_\_\_\_\_

*Moved:* \_\_\_\_\_ *Second:* \_\_\_\_\_

*In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_ *Abstained:* \_\_\_\_\_

*Witnessed:* \_\_\_\_\_

**Mountain/Desert Committee**

January 16, 2009

February 20, 2009

March 20, 2009

April 17, 2009

May 15, 2009

June 19, 2009

July 17, 2009

August 21, 2009

September 25, 2009 – adjusted due to conflict with League of California Cities  
Annual Conference

October 16, 2009

November 20, 2009

December 18, 2009

***Financial Impact:*** Approval of the regular meeting schedule has no impact upon the SANBAG budget.

***Reviewed By:*** This item is scheduled for review by the Mountain/Desert Committee on November 21, 2008.

***Responsible Staff:*** Duane A. Baker, Director of Management Services

# January 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5	6	7 Board	8	9	10
11	12	13	14 Admin.	15 Major Projects	16 Mt/Desert	17
18	19 MLK Holiday	20	21 Plans and Programs	22 Commuter Rail	23	24
25	26	27	28	29	30	31



# February 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4 Board	5	6	7
8	9	10	11 Admin	12 Major Projects	13	14
15	16 President's Day	17	18 Plans/Programs	19	20 Mt/Desert	21
22	23	24	25	26	27	28

# March 2009

March 2009						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4 Board	5	6	7  NACO Legisl.
8	9	10	11 Admin	12 Major Projects	13	14
NACO Legisl. Conf.	NACO Legisl. Conf.	NACO Legisl. Conf.	NACO Legisl. Conf.			
15	16	17	18 Plans and Programs	19 Commuter Rail	20 Mt/Desert	21
22	23	24	25	26 City/County Conf.	27 City/County Conf.	28
29	30	31				

# April 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 Board	2	3	4
5	6	7	8 Admin.	9 Major Projects	10	11
12	13	14	15 Plans/Programs League Legislative ActionDays	16 League Legislative ActionDays	17 Mt/Desert	18
19	20	21	22	23	24	25
26	27	28	29	30		

# May 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4	5	6 Board	7	8	9
10	11	12	13 Admin.	14 Major Projects	15 Mt/Desert	16
17	18	19	20 Plans/Programs	21 Commuter Rail	22	23
24	25 Memorial Day	26	27 League Mayors/Council Forum	28 League Mayors/Council Forum	29 League Mayors/Council Forum	30 League Mayors/Council Forum
31						

# June 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3 Board	4	5	6
7	8	9	10 Admin	11 Major Projects	12	13
14	15	16	17 Plans/Programs	18	19 Mt/Desert	20
21	22	23	24	25	26	27
28	29	30				

# July 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 Board	2	3	4
5	6	7	8 Admin	9 Major Projects	10	11
12	13	14	15 Plans/Programs	16 Commuter Rail	17 Mt/Desert	18
19	20	21	22	23	24	25
					NACO Annual Conf.	NACO Annual Conf.
26 NACO Annual Conf.	27 NACO Annual Conf.	28 NACO Annual Conf.	29	30	31	

# August 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5 Board	6	7	8
9	10	11	12 Admin	13 Major Projects	14	15
16	17	18	19 Plan/Programs	20	21 Mt/Desert	22
23	24	25	26	27	28	29
30	31					

# September 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2 Board	3	4	5
6	7 Labor Day	8	9 Admin.	10 Major Projects	11	12
13	14	15	16 Plans/Programs League Annual Conf.	17 Commuter Rail League Annual Conf.	18 Mt/Desert League Annual Conf.	19
20	21	22	23	24	25	26
27	28	29	30			



# October 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5	6	7 Board	8	9	10
11	12	13	14 Admin.	15 Major Projects	16 Mt/Desert	17
18	19	20	21 Plans and Programs	22	23	24
25	26	27	28	29	30	31

# November 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4 Board	5	6	7
8	9	10	11 <b>Veteran's Day</b>	12 Major Projects	13	14
15	16	17	18 <b>Admin. (11:00 a.m.)</b> Plans /Programs	19 Commuter Rail	20 Mt/Desert	21
22	23	24	25	26 Thanksgiving	27 Thanksgiving	28
29	30					

# December 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2 Board	3	4	5
6	7	8	9 Admin.	10 Major Projects	11	12
13	14	15	16 Plans/ Programs	17	18 Mt/Desert	19
20	21	22	23	24 Christmas Eve	25 Christmas	26
27	28	29	30	31 New Year's Eve	January 1, 2010 New Year's Day	

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority  
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

## *Minute Action*

AGENDA ITEM: 6

**Date:** November 21, 2008

**Subject:** Quarterly Administrative Report on SANBAG Federal Funding Programs

**Recommendation:\***

- 1) Receive report on quarterly reporting and obligation status.
- 2) Adopt a finding of compliance with obligation requirements for all affected agencies.

**Background:** Assembly Bill 1012 (AB1012) requires SANBAG to monitor and report to Caltrans on the use of Congestion Mitigation and Air Quality (CMAQ) and Regional Surface Transportation Program (RSTP) funds apportioned to San Bernardino County and allocated by the SANBAG Board. Federal funds apportioned to SANBAG are eligible for obligation for three years. Obligation refers to a commitment by the Federal Highway Administration (FHWA) to reimburse an agency for an authorized amount of federal funds for a specific project. After three years, unobligated apportionments are subject to reprogramming and loss to SANBAG and its member agencies.

Because of SANBAG's requirement to manage the timely use of funds to avoid loss of funding pursuant to the provisions of AB1012, the SANBAG Board established a protocol that requires recipients of federal funds allocated by SANBAG to enter into contracts with SANBAG. These contracts include a description of the scope of the approved project, the amount of federal fund allocation, and the schedule of project implementation. In addition, the terms of the contracts require federal fund recipients to submit quarterly progress reports on their projects to SANBAG until completion of

\*

*Approved*  
*Mountain Desert Committee*

*Date:* \_\_\_\_\_

*Moved:* \_\_\_\_\_ *Second:* \_\_\_\_\_

*In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_ *Abstained:* \_\_\_\_\_

*Witnessed:* \_\_\_\_\_

the project. In accordance with adopted SANBAG policy, failure to comply with any provision of the contract constitutes grounds for revocation and reallocation of the funding by action of the SANBAG Board pursuant to the protocol specified in each contract.

#### **Quarterly Reporting Status**

Tables 1 – 3 summarize the projects to which funds were allocated, their quarterly reporting history, and the status of the project. All agencies required to report to SANBAG on the status of their projects submitted quarterly reports by October 15<sup>th</sup> as required by the terms of their contract.

#### **Obligation Status**

As mentioned earlier, federal funds are available for obligation for three years from the date of apportionment. As of September 30, 2008, SANBAG has met AB1012 requirements for federal fiscal year 2006. Please refer to attached Caltrans Local Assistance “Apportionment Status Report” for apportionment balances for both CMAQ and STP funds. According to schedules provided by project sponsors in the quarterly reporting, SANBAG should meet the obligation requirements for fiscal year 08/09, as well.

As was reported to the SANBAG Board in June 2006, Caltrans has developed an Obligational Authority (OA) Management Policy that limits annual obligations to annual OA levels on a county-by-county basis. Because annual apportionments are almost always higher than annual OA levels, OA being the mechanism to tap into the reimbursement, it is inevitable that SANBAG will eventually lose a portion of past apportionments through AB1012. In addition, FHWA has been issuing rescissions of federal apportionments. An analysis of the projected impacts of the OA Management Policy and the federal rescissions is necessary before allocation of additional funds.

**Financial Impact:** Funding for SANBAG’s monitoring of local assistance project status is consistent with the adopted SANBAG Budget Task No. 37309000. The absence of critical project status and progress information provided in quarterly reports could result in SANBAG’s inability to assure timely obligation of funds to avoid loss to the agency and its members.

**Reviewed By:** This item is scheduled for review by the Planning and Programming Committee on November 19, 2008 and by the Mountain Desert Committee on November 21, 2008.

**Responsible Staff:** Ty Schuiling, Director of Planning and Programming

**TABLE 1**  
**Congestion Mitigation and Air Quality Program Status**  
**Mojave Desert Air Basin**

**Quarterly Reporting Status**

Lead Agency	Project Description	Contract Number	Board Approval	Allocated Amount	Obligated Amount	2008 Quarterly Reports				Comments
						1	2	3	4	
Adelanto	Adelanto/Auburn/Jonathan Paving	01-052	12/06/00	\$224,000	\$0	Apr-08	Jul-08	Oct-08	Jan-08	RFA3 to be submitted 1/11
Barstow Transit	Paratransit Vehicle Replacement - Gas	20040701	08/06/03	\$578,162	\$578,162	Apr-08	Jul-08	Oct-08	Jan-08	Funds obligated 9/08
Barstow Transit	Purchase Replace Alt Fuel Paratransit Vehicles	20020140	08/06/03	\$204,889	\$96,889	Apr-08	Jul-08	Oct-08	Jan-08	Funds programmed in 08/09
Barstow Transit	Bus System - 27 Passenger Replacement Alt Fuel	20041303	08/06/03	\$1,142,000	\$0	Apr-08	Jul-08	Oct-08	Jan-08	Funds programmed in 08/09
Caltrans	I.E. Transportation Management Center & PNR - Fontana	200628	10/05/05	\$1,350,000	\$1,350,000	Apr-08	Jul-08	Oct-08	Jan-08	Funds obligated 7/08
SANBAG	Rideshare Program for Mojave Desert Air Basin	20040828	08/06/03	\$1,688,731	\$1,688,731	Apr-08	Jul-08	Oct-08	Jan-08	Funds obligated 9/08
Upland	Upland Metrolink Station	20040825	10/05/05	\$2,776,800	\$0	Apr-08	Jul-08	Oct-08	Jan-08	Funds programmed in 08/09
Victorville	Park & Ride at Victor Valley College	01-048	12/06/00	\$650,000	\$0	Apr-08	Jul-08	Oct-08	Jan-08	RFA3 to be re-submitted 11/08
Victorville	I-15/Amarigosa Park-n-Ride Lot Expansion	00-107	02/02/00	\$639,101	\$0	Apr-08	Jul-08	Oct-08	Jan-08	RFA3 submitted 8/14
Victorville	Bear Valley Road / Fish Hatchery Rd Signal	20041201	11/03/04	\$180,000	\$0	Apr-08	Jul-08	Oct-08	Jan-08	RFA3 to be submitted 6/09
VVTA	Replace Alt. Fuel Paratransit Vehicles	SBD41114	08/06/03	\$1,136,725	\$265,590	Apr-08	Jul-08	Oct-08	Jan-08	Funds programmed in 08/09
<b>TOTALS</b>				<b>\$10,570,408</b>	<b>\$3,979,372</b>					

**Obligation Status**

<b>Fiscal Year 08/09:</b>	
Obligated Amount to Date*	\$8,250,855
Additional Obligation Scheduled by 11/09	\$3,590,236

**NOTES:**

\* - Includes projects with closed contracts and projects funded through Board set-asides

\*\* The obligation of CMAQ apportionments is not monitored by Air Basin, therefore, over-obligation in the SCAB compensates for under-obligation in the MDAB  
RFA1 - PSE Request for Authorization, RFA2 - ROW Request for Authorization, RFA3 - CONST Request for Authorization

**Apportionment Status Report  
CMAQ and RSTP  
(as of September 30, 2008)**

**AB 1012  
Balances entering the 3rd Year  
(from FFY 2006)\*  
Report Summary**

\*Previously referred to as Cycle 9

Region	CMAQ Unobligated 9/30/2008 Delivery Balance	CMAQ Amount Subject to AB 1012 Reprogramming 11/01/2008	RSTP Unobligated 9/30/2008 Delivery Balance	RSTP Amount Subject to AB 1012 Reprogramming 11/01/2008
Butte	2,995,820	-	(8,839)	-
Fresno	9,443,439	-	14,720,577	-
Kern	9,095,184	-	5,996,313	-
Kings	2,421,395	-	(5,633)	-
Los Angeles	81,662,543	-	83,514,192	-
Madera	1,399,217	-	(5,353)	-
Merced	1,230,614	-	(9,161)	-
Monterey	366,037	-	1,159,703	-
Orange	44,158,978	-	20,834,227	-
Riverside <sup>6</sup>	22,604,780	-	33,974,646	-
Sacramento (SACOG) <sup>3,4,5,6</sup>	(292,277)	-	(115,408)	-
San Benito <sup>3</sup>	(14,961)	-	(2,316)	-
San Bernardino	46,232,061	-	23,391,838	-
San Diego	8,232,148	-	(5,791,507)	-
S.F. Bay Area (MTC)	32,942,188	-	(12,717,023)	-
San Joaquin	8,712,853	-	4,101,657	-
San Luis Obispo	-	-	927,523	-
Santa Barbara <sup>4</sup>	(0)	-	(17,374)	-
Santa Cruz	586,638	-	(11,120)	-
Stanislaus	8,562,404	-	3,515,233	-
Tahoe	1,770,285	552,027	(2,008)	-
Tulare	340,734	-	(16,012)	-
Ventura	7,791,426	-	12,805,256	-
Rural Counties & SCAG	\$2,160,913	69,166	\$2,023,219	-
<b>TOTAL</b>	<b>292,402,417</b>	<b>621,193</b>	<b>188,262,630</b>	<b>\$0</b>

**Balances now include:**

- \* Sept 08—Difference between Actual Appt received in March 08 vs. Revised Actual Apportions received in Sept 08 for FFY 2007-08
- \* Mar 08—Difference between Advanced/Estimated Apportionments vs. Actual Apportionment for CMAQ & RSTP for FFY 2007-08
- \* Mar 08—RSTP Exchange for FFY 07/08 effective March 27, 2008
- \* Mar 08—Recission amounts for each region as required by Notice N 4510.673 on March 4, 2008.
- \* Jan 08—NEPA Delegation contribution for FFY 07/08.
- \* Nov 07—Difference between Advanced/Estimated Apportionments vs. Actual Apportionment for CMAQ & RSTP for FFY 2006-07

**Footnotes:**

<sup>1</sup> Indicates all apportionments not yet obligated.

<sup>2</sup> Totals reflect balances in the third year.

<sup>3,4,5,6</sup> Includes adjustments made through MOU agreements between regions (San Benito, Santa Barbara, Imperial & Riverside) and SACOG.

Assumes the use of all previous balances.

The regional balances reflect activities that have been recorded in the Department's Local Assistance accounting system. There may be a delay between the FHWA authorization and the recording of the transaction in the Department's Local Assistance accounting system.

## *Minute Action*

AGENDA ITEM: 7

**Date:** November 21, 2008

**Subject:** Freeway Corridors Toll Feasibility Study

**Recommendation:** \*

- 1) Authorize the expenditure of funds of an amount not to exceed \$241,000 to extend the toll feasibility study on I-15 to the Future High Desert Corridor. The services will be provided by PB Consult Inc. (Purchase Order No. P08208-01), KPMG Corporate Finance LLC (Purchase Order No. P08209-01), and Nossaman, Guthner, Knox & Elliott LLP (Purchase Order No. P08210-01).
- 2) Approve a budget amendment to the FY 2008/09 budget for an additional \$396,704 in TN 85009000

**Background:** In June 2008, SANBAG entered into an agreement with RCTC to utilize the consultant team who performed toll feasibility studies in Riverside County for RCTC to provide services related to innovative financing approaches for highway development in San Bernardino County. The consultant team consisting of Parson Brinckerhoff, KPMG LLC, and Nossaman LLP, has completed the first phase of work. The first phase is the preliminary screening and ranking of potential toll corridors. Ten segments on four corridors were identified as potentially feasible, either by the addition of High Occupancy Toll (HOT) lanes or by construction of a toll road. The four corridors are the I-10 from LA County Line to Riverside County Line, I-15 from Riverside County Line to Bear Valley Road, SR-210 from LA County Line to I-10 in Redlands, and SR-395 from I-15 to north of Adelanto.

Screening criteria were developed and by utilizing quantitative and qualitative analysis, the screening criteria matrix was completed and the segments ranked.

*Approved*  
*Mountain Desert Committee*

*Date:* \_\_\_\_\_

*Moved:* \_\_\_\_\_ *Second:* \_\_\_\_\_

*In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_ *Abstained:* \_\_\_\_\_

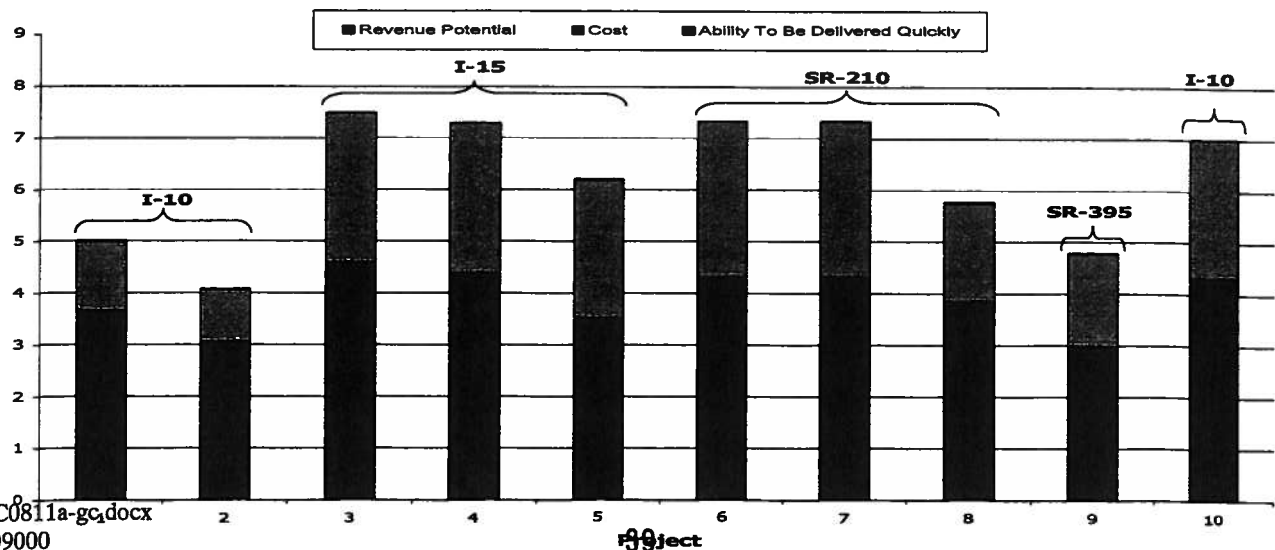
*Witnessed:* \_\_\_\_\_



The screening criteria are organized into three primary categories: The project's revenue potential, project upfront and ongoing cost, and the project's ability to be delivered quickly. Sub-criteria were created and scored on a scale of one to three with three representing the highest potential for feasibility and one representing the lowest potential for feasibility.

The preliminary screening assessment summary is shown below. A total score for each project and relative rank are achieved by adding scores for each primary category. The addition of HOT lanes to I-15 and SR-210, and the conversion of HOV lanes to HOT lanes on I-10 earned the highest scores in the screening.

Criteria	Project									
	1 - I-10 (SR-10)	2 - SR-10 (I-10)	3 - SR-10 (I-10) (SR-10)	4 - SR-210 (I-10)	5 - SR-210 (I-10) (SR-210)	6 - SR-210 (I-10) (SR-210)	7 - SR-210 (I-10) (SR-210)	8 - SR-210 (I-10) (SR-210)	9 - SR-210 (I-10) (SR-210)	10 - SR-210 (I-10) (SR-210)
Revenue Potential	2.2	1.6	2.4	2.2	1.8	1.8	1.8	2.0	2.0	1.8
Cost	1.5	1.5	2.2	2.2	1.7	2.5	2.5	1.9	1.0	2.5
Ability To Be Delivered Quickly	1.3	1.0	2.9	2.9	2.7	3.0	3.0	1.9	1.8	2.7
<b>Total</b>	<b>5.0</b>	<b>4.1</b>	<b>7.5</b>	<b>7.3</b>	<b>6.2</b>	<b>7.3</b>	<b>7.3</b>	<b>5.8</b>	<b>4.8</b>	<b>7.0</b>
<b>Project Rank</b>	<b>8</b>	<b>10</b>	<b>1</b>	<b>4</b>	<b>6</b>	<b>2</b>	<b>2</b>	<b>7</b>	<b>9</b>	<b>5</b>



Based on the preliminary screening and input from Caltrans and SANBAG staff, it is recommended that a more detailed toll feasibility be conducted on three corridors. The three corridors are the I-10 from LA County Line to Riverside County Line, I-15 from Riverside County Line to the future High Desert Corridor, and the SR-210 from LA County Line to I-215. At the November 5, 2008 SANBAG Board meeting amendments to the consultant Purchase Orders were approved to complete the toll feasibility study for the I-10 corridor, the SR-210 corridor, and the I-15 corridor from the Riverside County line to the SR-395. The segment from SR-395 to the future High Desert Corridor was not included in the recommendation approved by the Board since it had been considered at the Mountain/Desert Committee. A description of the three corridors approved for further study is as follows.

**I-10 - LA County Line to Riverside County Line**

Despite the modest scores achieved by two of the I-10 projects, providing HOT lanes on these segments represents a strong opportunity to provide traffic management in the corridor. Additionally, as planning for additional HOV lanes on I-10, it is an opportune time to study whether it would make sense to provide HOT lanes on I-10. Therefore, it is recommended that a toll feasibility study be conducted for conversion of one HOV lane to a HOT lane in each direction from the Los Angeles County Line to I-15 and the construction of multiple HOT lanes in each direction from I-15 to the Riverside County Line.

**I-15 – Riverside County Line to the SR-395**

The extension of two lanes in each direction is a logical extension to RCTC planned I-15 HOT lanes. Additionally, HOT lanes will provide an opportunity to provide traffic management on this corridor. The segments north of SR-210 have a high directional traffic split, leading to the use of reversible lanes. Toll revenue may fund a portion of a corridor improvements included in the Measure, and provide improvements that are beyond what the Measure anticipated. Additionally, as planning for additional lanes on I-15, it is an opportune time to study whether it would make sense to provide HOT lanes on I-15.

Therefore, it is recommended that a toll feasibility study be conducted for the addition of two HOT lanes in each direction from the Riverside County Line to SR-210, two reversible lanes from SR-210 to I-215, three reversible lanes from I-215 to SR-138, and two reversible lanes from SR-138 to the SR-395.

**SR-210 - LA County Line to I-215**

The alternative to be studied is to add one HOT lane in each direction and convert the existing HOV lane to a second HOT lane in each direction from the Los Angeles County Line to I-215. Even though this corridor is not in the Measure I 2010-2040 and the immediate need for HOT lanes does not exist, the study will provide SANBAG with guidance on when HOT lanes are likely to be necessary in the future.

The toll feasibility study will include preliminary engineering to determine the constraints and opportunities, and develop a preliminary cost estimate for the capital construction costs, and the operation and maintenance costs of the facility; new traffic forecasts will be prepared using the latest demographic data and utilizing the traffic model's projected volumes, revenues from the HOT lane usage will be estimated. From the cost information and revenue forecasts, financial models will be developed to determine the potential of the HOT lanes. The estimated cost to perform these services is as follows:

- I-10 - LA County Line to Riverside County Line: \$688,460
- I-15 – Riverside County Line to the SR-395: \$705,662
- SR-210 – Los Angeles County Line to I-215: \$396,704
- Institutional, governance and legal advisory services for the three corridors: \$175,000
- Total: \$1,965,286

It is recommended that the toll feasibility study for the I-15 be extended to the future High Desert Corridor. The study will be conducted for the addition of two reversible lanes from the SR-395 to the future High Desert Corridor or an alternate configuration based on traffic data. This is a continuation of the studies that are being conducted as part of the I-15- Riverside County Line to the SR-395 corridor.

Since the I-15 corridor spans the Valley Program, Cajon Pass Program and the Victor Valley Sub-Area Major/Local Highways Program, it is recommended that three Measure I 2010-2040 programs fair share be based on the lane miles of freeway within each program. This formula was included in the background of the Board item approved in November on this subject. The funding shares for the three programs are: Valley Freeway program 38%; Cajon Program 30%; Victor Valley Subarea Major/Local Highways Program 31%. The estimated total cost to complete the study of the I-15 corridor from Riverside County Line to the High Desert Corridor is \$768,414. This equates into the Victor Valley Major/Local Highways Program share of \$238,208.

In addition, the Board approved funding the cost of the studies with Measure I 1990-2010 Valley Program funds with reimbursement from the Measure I 2010-2040 programs that the corridors are located in.

The budget amendment consists of the additional \$62,752 to extend the I-15 study to the future High Desert Corridor plus funding for KPMG LLC, and Nossaman LLP, to conduct the analysis on the SR-210. The amendment request for the SR-210 is \$333,952. The SR-210 amount was concurred to by the Major Projects Committee, but was mistakenly not included in the Board item. The total budget being requested is \$396,704.

***Financial Impact:*** This item is not consistent with the current FY budget and will require a budget amendment for an additional \$396,704 in TN 85009000. The funding source will be Measure 1990-2010 Valley Program, with reimbursement from the Measure I 2010-2040 Valley Freeway Program, Cajon Pass Program, and the Victor Valley Subarea Major/Local Highways Program. The timing of reimbursement from the Victor Valley Major/Local Highways Program will need to be considered by Victor Valley subarea representatives and the Mountain/Desert Committee and approved by the SANBAG Board.

***Reviewed By:*** This item is scheduled for review by the Mountain Desert Committee on November 21, 2008. A similar item was reviewed by the Strategic Plan Ad Hoc Committee on September 30, 2008 and by the Major Projects Committee on October 9, 2008.

***Responsible Staff:*** Garry Cohoe, Director of Freeway Construction

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority  
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

## *Minute Action*

AGENDA ITEM: 8

**Date:** November 21, 2008

**Subject:** United States (US) 395 Interim Widening Project Funding

**Recommendation:\*** Consider allocating future Measure I Major Local Highway Project (MLHP) funding towards US-395 Interim Widening Project.

**Background:** Over the years, the SANBAG Board of Directors, the County of San Bernardino, and the Cities of Adelanto, Hesperia, and Victorville have worked towards improving the safety and operational efficiency along US-395. PA&ED (Project Approval and Environmental Document) was begun in 2006 and the lead agency is Caltrans.

Currently, \$2 million has been programmed for this phase of the project with \$1.4 million from Surface Transportation Funds (local) and \$600,000 from the cities and county.

There is a need at this time to identify additional funding. The environmental documents are scheduled to be completed in May, 2009. Per Caltrans, as a condition of certification of the document by the Federal Highway Administration

\*

*Approved*  
*Mountain Desert Committee*

*Date:* \_\_\_\_\_

*Moved:*

*Second:*

*In Favor:*

*Opposed:*

*Abstained:*

*Witnessed:* \_\_\_\_\_

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MDC0811A1-EMP  
94109000

(FHWA), the associated construction funding needs to be identified now so that it can be included in the environmental documents.

At the October Mountain/Desert Committee meeting, John Ashton, Project Manager, Caltrans District 8, made a presentation regarding the possible segmentation of the US-395 Interim Widening Project. The following map (Attachment #1) shows the location of the segments. Note that by breaking out the project into geographic segments, the construction could be implemented over a couple of years or long, depending upon funding availability.

Caltrans has defined the following estimated project costs for potential construction phasing:

<u>Segment</u>	<u>Length (Miles)</u>	<u>Total Cost</u>
1	1.1	\$ 8,413,280
2	2.0	\$17,260,360
3	0.9	\$ 7,158,360
4	1.4	\$10,700,320
5	1.2	\$ 9,371,960
6	0.4	\$ 3,099,840
7	1.5	\$12,399,320
8	1.3	\$10,331,640
9	2.7	\$21,326,960
<b>TOTAL</b>	<b>12.5</b>	<b>\$100,062,040</b>

Adelanto has identified a project in their 2008-2010 Measure I Capital Improvement Plan. The project is on US-395 at the northernmost point of Segment 5, between Mojave Drive and Star Street. They have allocated \$1,076,148 for construction of road improvements, associated with a proposed shopping center. In addition, Adelanto has included \$30 million for US-395 on their list of Measure I Major Local Highway Projects for 2010-2040.

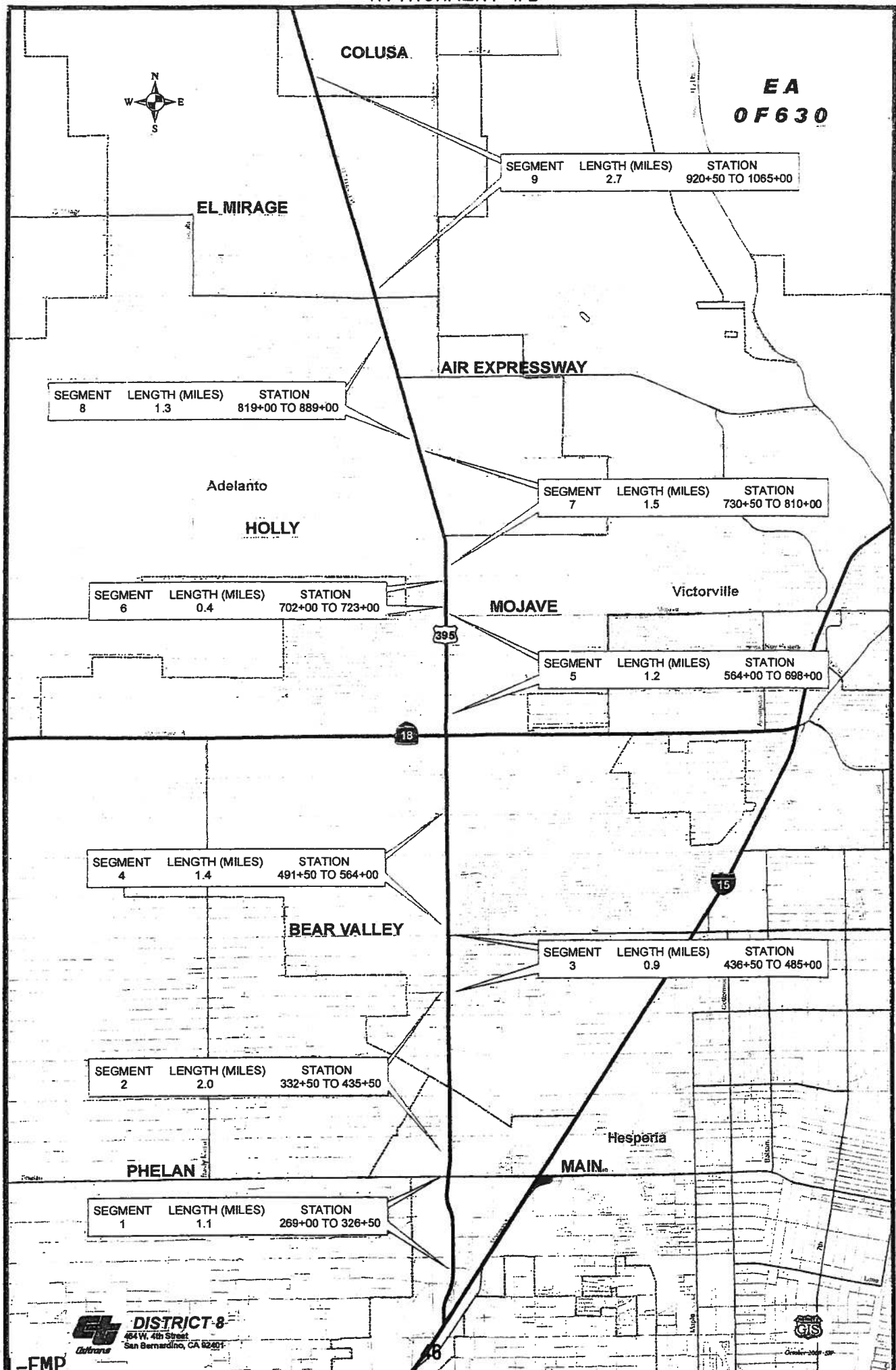
At this point in time, the impacted jurisdictions have a decision to make in that without a funding commitment, the environmental document cannot be approved. Therefore, it is requested that the Subarea and Mountain/Desert Committee allocate Measure I 2010-2040 Major Local Highway Project (MLHP) funds for one of the proposed segments in order to keep this project moving forward. While this is the only source of funding available at this time, other funding from

the State Transportation Improvement Program (STIP), Federal Transportation Program (FTP), and Interregional Transportation Improvement Program (ITIP), as well as Federal demonstration funds, will continue to be pursued.

***Financial Impact:*** This item has no impact on the current adopted SANBAG FY 08/09 Budget. Staff activities related to this item are consistent with the adopted Budget, Task No. 94109000, Mountain/Desert Planning and Programming.

***Reviewed By:*** This item is scheduled to be reviewed by the Mountain Desert Committee on November 21, 2008

***Responsible Staff:*** Ellen Pollema, Transportation Planning Specialist  
Duane Baker, Director, Management Services





- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority  
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

## *Minute Action*

AGENDA ITEM: 9

**Date:** November 21, 2008

**Subject:** Draft Measure I 2010-2040 Strategic Plan

**Recommendation:\*** Receive information on the status of the Draft Measure I 2010-2040 Strategic Plan

**Background:** Development of the Measure I 2010-2040 Strategic Plan was initiated in 2005 to define the policy framework for delivery of the projects and programs referenced in the new Measure. The Strategic Plan will be the policy manual for delivery of the Measure I programs by SANBAG and its member agencies.

SANBAG staff is beginning limited distribution of draft sections of the Strategic Plan in November. An outline of the full draft Strategic Plan Report is included as Attachment 1. Drafts of Sections 1 and 2, which represent introductory chapters of the Strategic Plan, are included as Attachment 2. Also attached are drafts of the implementing policies covering the Local Streets, Major/Local Highways, and Project Development and Traffic Management System programs for the Victor Valley and the Other Mountain/Desert Subareas.

\*

*Approved*  
*Mountain Desert Committee*

*Date:* \_\_\_\_\_

*Moved:*

*Second:*

*In Favor:*

*Opposed:*

*Abstained:*

*Witnessed:* \_\_\_\_\_

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A complete draft of the Strategic Plan is planned for release with SANBAG committee agendas in December. This will initiate a formal review and comment period that extends through late January 2009. SANBAG will then prepare a response to comments for February committee meetings and/or a Board workshop in mid-February. A final draft will be prepared for March committee approval, with SANBAG Board approval scheduled for April 1, 2009.

SANBAG staff is holding a workshop with local jurisdiction staff on November 19<sup>th</sup> so that several procedural issues can be discussed, to ensure that the SANBAG staff proposals are workable. The focus would be the Major/Local Highways Program and the Local Streets Program. It is believed that additional work on these issues prior to publication of the full draft Strategic Plan in December will help to streamline and simplify the formal review of the draft. Examples of issues to be discussed include: Major/Local Highways allocations and fair share development contributions. A meeting was held with the Comprehensive Transportation Plan Technical Advisory Committee on November 10<sup>th</sup>, but the discussion of issues needed more depth than could be provided within this meeting alone. Separate workshops are anticipated to be scheduled for Valley jurisdictions and Mountain/Desert jurisdictions.

The following points summarize the primary policy directions for the Mountain/Desert programs as presented in the attached materials:

- Local Streets Program
  - The Local Street program is the formula-based program in which 70% of sales tax dollars are designated for local streets with 2% being reserved for Program Development and Traffic Management Systems and the remainder passed directly through SANBAG to local jurisdictions and expended in accordance with a five-year plan.
  - Projects on the Nexus Network in the Victor Valley will also need to include a development fair share amount.
- Major/Local Highways
  - The Major/Local Highways program is a reimbursement program in which 25% of sales tax dollars are set-aside for major projects.
  - A master list of projects will be developed by each subarea.
  - Funds will be allocated to projects based on recommendation of subarea and approval of Mountain/Desert Committee.

- Allocation decisions will be guided by the following principles that were previously approved by the Committee in January 2008:
  - Should be made from candidate projects lists developed in cooperation with transportation planning partners.
  - Should serve to maximize leveraging of private, local, Federal, and State dollars, with particular attention to leveraging of Interregional Transportation Improvement Program Funds on the Interregional Road System.
  - Should be made with an objective of delivering major improvements at the earliest possible date.
  - Geographic equity throughout the subarea shall be considered over the term of the Measure and shall include an escalation factor.
  - SANBAG shall actively engage in planning and project delivery of major local highway projects in collaboration with local jurisdictions and Caltrans in a manner which will minimize the time and cost of project delivery.
- A development fair share contribution will be required for Major/Local Highway Projects as identified in the Nexus Study or through the Traffic Impact Analysis procedure set forth in the Congestion Management Plan.
- Bond financing may be necessary to deliver major projects in the early stages of the Measure. Policies governing bond financing will be provided in the December distribution of the draft Strategic Plan.

Approval of the Strategic Plan is needed one year in advance of the initiation of the new Measure I in April 2010 so that the resources and systems can be put in place to manage the new Measure. A Board workshop is tentatively planned for February 2009, in the event one is needed to discuss responses to comments received in the formal review period and resolve remaining issues.

**Financial Impact:** This item has no financial impact. The item is consistent with the approved Fiscal Year 2008-2009 SANBAG budget, Task 60909000.

**Reviewed By:** This item will be reviewed by the Mountain/Desert Committee on November 21, 2008.

**Responsible Staff:** Duane A. Baker, Director of Management Services

## **ATTACHMENT #1**

### **DRAFT MEASURE I 2010-2040 STRATEGIC PLAN OUTLINE**

**September 17, 2008**

(Responsible Director shown in parentheses – sub-assignments for Planning and Programming Staff are also shown)

1. Introduction (Ty)
  - 1.1. Measure I Half-Cent Sales Tax – History and Background
  - 1.2. Purpose of the Strategic Plan
  - 1.3. Approach to the Strategic Plan
  - 1.4. Strategic Plan Organization
2. Measure I 2010-2040 Expenditure Plan - Ty
  - 2.1. Subarea and Program Overview - Ryan
  - 2.2. Measure I Revenue Estimates - Ryan
  - 2.3. Development Mitigation Program - Ryan
  - 2.4. Other Sources of Revenue - Wendy
    - 2.4.1. State
    - 2.4.2. Federal
    - 2.4.3. Additional revenue sources
  - 2.5. Strategic Plan Updates and Amendments - Ty
3. Measure I Strategic Plan Framework
  - 3.1. Overarching Principles (Ty)
  - 3.2. Overview of the Implementation Strategy
    - 3.2.1. Maximize Revenue (Jennifer/Ty) - Wendy
    - 3.2.2. Manage Project and Program Costs (Ty/Garry) - Steve
    - 3.2.3. Accelerate Project Delivery through Borrowing, where Appropriate (Ty/Bill)
    - 3.2.4. Increase the Efficiency and Effectiveness of Project Development (Ty/Jennifer) – Wendy/Steve
  - 3.3. Implementation Frameworks by Subarea and Program
    - 3.3.1. Cajon Pass Program (Garry)
      - 3.3.1.1. Scope of the program
      - 3.3.1.2. Financial analysis of program
      - 3.3.1.3. Policy framework
      - 3.3.1.4. Implementation actions
    - 3.3.2. Valley Programs
      - 3.3.2.1. Process overview (Ty) - Ryan
      - 3.3.2.2. Project Advancement Agreements/Advance Expenditure - Ryan
      - 3.3.2.3. Local Streets (Duane)
        - 3.3.2.3.1. Scope of the program
        - 3.3.2.3.2. Financial analysis of program
        - 3.3.2.3.3. Policy framework
        - 3.3.2.3.4. Implementation actions
      - 3.3.2.4. Freeway (Garry)
        - 3.3.2.4.1. Scope of the program
        - 3.3.2.4.2. Financial analysis of program
        - 3.3.2.4.3. Policy framework
        - 3.3.2.4.4. Implementation actions
      - 3.3.2.5. Interchange (Ty) - Ryan
        - 3.3.2.5.1. Scope of the program
        - 3.3.2.5.2. Financial analysis of program
        - 3.3.2.5.3. Policy framework
        - 3.3.2.5.4. Implementation actions

- 3.3.2.6. Major Street (Ty) – Steve/Wendy
  - 3.3.2.6.1. Scope of the program
  - 3.3.2.6.2. Financial analysis of program
  - 3.3.2.6.3. Policy framework
  - 3.3.2.6.4. Implementation actions
- 3.3.2.7. Metrolink/Rail (Mike)
  - 3.3.2.7.1. Scope of the program
  - 3.3.2.7.2. Financial analysis of program
  - 3.3.2.7.3. Policy framework
  - 3.3.2.7.4. Implementation actions
- 3.3.2.8. Express Bus/BRT (Mike)
  - 3.3.2.8.1. Scope of the program
  - 3.3.2.8.2. Financial analysis of program
  - 3.3.2.8.3. Policy framework
  - 3.3.2.8.4. Implementation actions
- 3.3.2.9. Senior and Disabled Transit (Mike)
  - 3.3.2.9.1. Scope of the program
  - 3.3.2.9.2. Financial analysis of program
  - 3.3.2.9.3. Policy framework
  - 3.3.2.9.4. Implementation actions
- 3.3.2.10. Traffic Management (Ty)
  - 3.3.2.10.1. Scope of the program
  - 3.3.2.10.2. Financial analysis of program
  - 3.3.2.10.3. Policy framework
  - 3.3.2.10.4. Implementation actions
- 3.3.3. Victor Valley
  - 3.3.3.1. Local Streets (Duane/Michelle)
    - 3.3.3.1.1. Scope of the program
    - 3.3.3.1.2. Financial analysis of program
    - 3.3.3.1.3. Policy framework
    - 3.3.3.1.4. Implementation actions
  - 3.3.3.2. Major/Local Highways (Duane/Michelle)
    - 3.3.3.2.1. Scope of the program
    - 3.3.3.2.2. Financial analysis of program
    - 3.3.3.2.3. Policy framework
    - 3.3.3.2.4. Implementation actions
  - 3.3.3.3. Senior and Disabled Transit (Mike)
    - 3.3.3.3.1. Scope of the program
    - 3.3.3.3.2. Financial analysis of program
    - 3.3.3.3.3. Policy framework
    - 3.3.3.3.4. Implementation actions
  - 3.3.3.4. Project Development and Traffic Management Systems
- 3.3.4. Other Mountain/Desert Subareas
  - 3.3.4.1. Local Streets (Duane/Michelle)
    - 3.3.4.1.1. Scope of the program
    - 3.3.4.1.2. Financial analysis of program
    - 3.3.4.1.3. Policy framework
    - 3.3.4.1.4. Implementation actions
  - 3.3.4.2. Major/Local Highways (Duane/Michelle)
    - 3.3.4.2.1. Scope of the program
    - 3.3.4.2.2. Financial analysis of program

- 3.3.4.2.3. Policy framework
    - 3.3.4.2.4. Implementation actions
  - 3.3.4.3. Senior and Disabled Transit (Mike)
    - 3.3.4.3.1. Scope of the program
    - 3.3.4.3.2. Financial analysis of program
    - 3.3.4.3.3. Policy framework
    - 3.3.4.3.4. Implementation actions
  - 3.3.4.4. Project Development and Traffic Management Systems
- 4. Measure I 2010-2040 Resource Requirements (internal and external)
  - 4.1. Human resources
    - 4.1.1. SANBAG staff requirements (Duane)
    - 4.1.2. Project management and consulting assistance (Duane)
    - 4.1.3. Implementation of Independent Taxpayer Oversight Committee (Duane)
  - 4.2. Management Systems
    - 4.2.1. Financial System Enhancements (Bill)
    - 4.2.2. Apportionment and Allocation Tracking Systems (Ty/Garry/Michelle) - Wendy
  - 4.3. Agency coordination and facilitation of project delivery (Ty/Jane) - Steve
    - 4.3.1. With local jurisdictions
    - 4.3.2. With Caltrans
    - 4.3.3. With Federal agencies

Appendix A – Measure 2010-2040 Ordinance and Expenditure Plan

Appendix B – Glossary

## ATTACHMENT #2

### **1. Introduction**

#### 1.1. Measure I Half-Cent Sales Tax – History and Background

The California State Legislature authorized county transportation authorities to enact local option sales tax measures for transportation in the late 1980s, under provisions of Division 19 (commencing with Section 180000) of the Public Utilities Code. In November 1989, San Bernardino County voters approved passage of Measure I, authorizing the San Bernardino County Transportation Authority to impose a half cent retail transactions and use tax applicable in the incorporated and unincorporated areas of the County of San Bernardino for the 20-year period between April 1, 1990 and March 31, 2010. San Bernardino Associated Governments (SANBAG), acting as the Authority, was authorized to administer the programs described in the Measure. Revenue from the tax can only be used for transportation improvement and traffic management programs authorized in the Expenditure Plan set forth in Ordinance No. 89-1.

By March 2010, Measure I will have generated approximately \$1.8 billion (nominal dollars) in revenue for transportation projects throughout San Bernardino County. The list of accomplishments is extensive and includes initiation of Metrolink commuter rail service, construction of the SR-71 and SR-210 freeways; widening of I-10, SR-60, and I-215, the widening and maintenance of many arterial highways throughout San Bernardino County, and support for several transit systems operated around the County. For a complete listing of accomplishments of Measure I see SANBAG's web site at [www.sanbag.ca.gov](http://www.sanbag.ca.gov).

Early in the second decade of the Measure, it became apparent that continuation of the half-cent sales tax would be critical to maintaining funding for transportation in San Bernardino County. Information was solicited from local jurisdictions regarding ongoing transportation needs, and a draft expenditure plan was developed that could serve as a basis for renewal of Measure I. Ordinance No. 04-01 was placed before voters in November 2004, and Measure I was renewed resoundingly, with just over 80% of the vote. The new Measure I extends the half-cent sales tax for 30 years, from April 1, 2010 through March 31, 2040. It is now referred to as Measure I 2010-2040 to distinguish it from the first Measure I.

#### 1.2. Purpose of the Strategic Plan

In August 2005, the SANBAG Board of Directors approved a Strategic Plan Scope of Work to address significant policy, fiscal, and institutional issues associated with Measure I 2010-2040. It was noted in the approved Scope that the magnitude of Measure I 2010-2040 rivals the transportation budgets of some states. It was also noted that the policy, fiscal, and institutional issues associated with administration of Measure I 2010-2040 are complex and interrelated, and that they differ among the Valley, Mountain, and Desert areas of the County. By approving preparation of this Strategic Plan, SANBAG signaled its intent to consider and ultimately resolve these issues through a measured, comprehensive, strategic planning process.

Consistent with the approved Scope of Work, the Strategic Plan is the official guide and reference for the allocation and administration of the combination of local transportation sales tax, state and federal transportation revenues, and private fair-share contributions to regional transportation facilities from new development needed to fund delivery of the Measure I 2010-2040 transportation program. It is also the comprehensive repository for the policies and institutional provisions needed to manage implementation of the Measure.

The administrative policy framework, policies, and procedures described herein are products of more than three years of analysis of fiscal and procedural alternatives, discussion and direction provided through technical and policy committees, and approval by the SANBAG Board of Directors. They include direction on a host of policy and procedural, fiscal, and institutional issues, including specific actions and policies to be implemented in the near-term, and broader, more conceptual guidance for the out-years of the program. As noted in Section 2.5, the Strategic Plan will be updated periodically to reflect the changes in costs, revenues, conditions, and priorities that will undoubtedly occur over the life of Measure I 2010-2040.

### 1.3. Approach to the Strategic Plan

The Strategic Plan is intended to structure Measure I 2010-2040 programs so that they:

- Fulfill commitments made to the voters
- Are financially feasible and scaled to the revenue projected to be available
- Are implemented with policies and procedures that provide financial accountability, treat each of SANBAG's member jurisdictions equitably, and provide predictable access to Measure I revenues
- Can be managed with the resources available to SANBAG

The Strategic Plan has been developed based on the best available information of projected Measure I 2010-2040 revenues and program costs. History has shown that projections of up to 30 years into the future are extremely uncertain. For example, the predictions by regional demographers in 1978 of the San Bernardino County population in year 2000 were 50% low over just that 20-year span. Projections of funding, which depend on forecasts of population growth and other variables, should be viewed as order-of-magnitude. Funding availability can vary significantly, even dramatically, from one year to the next. Forecasts of federal and state revenues must be made over 30 years of congressional and legislative cycles with highly unpredictable outcomes. The federal and state revenues are dependent not only on the willingness of these bodies to renew and fund programs, but on their willingness to modify revenue sources to keep pace with needs.

In summary, although SANBAG intends to be realistic in terms of revenue and cost projections, reality could vary significantly from these assumptions. The Strategic Plan policies and procedures have been prepared so that project delivery can adapt to these



uncertainties. Scope adjustments have already been made to some of the programs in light of information generated in the Strategic Plan process. Several programs have been structured based on the prioritization of projects, thereby controlling commitments made to Measure I dollars. Updates to the Strategic Plan to better reflect future conditions will occur as indicated in Section 2.5.

#### 1.4 Strategic Plan Organization

The remainder of the Strategic Plan is organized into the following Sections:

- Section 2. Measure I 2010-2040 Expenditure Plan – Provides a description of how the Measure is organized into geographic subareas and programs, defines eligible projects, and specifies funding percentages for programs within each subarea.
- Section 3. Measure I Strategic Plan Framework - States the Board-adopted Strategic Plan principles, provides an overview of the implementation strategy, and presents the policy framework for each subarea and program
- Section 4. Measure I 2010-2040 Resource Requirements – Delineates the human and management resources needed to implement Measure I 2010-2040.

Section 3 is the centerpiece of the plan. Each program within each subarea is discussed in the following order:

- Scope of the program
- Financial analysis of the program
- Implementation actions
- Policies

The policies are stated at the end of each program section and comprise the rules by which each program will function. The policies are also made available as a separately bound document and on the SANBAG web site so that interested parties may directly access those policies for guidance. Revision of policies will require SANBAG Board action, and may occur at any time. A notification process will be provided on changes to the Measure I 2010-2040 policies.

## **2. Overview of the Measure I 2010-2040 Expenditure Plan**

### **2.1. Measure I 2010-2040 Subarea and Program Overview**

#### **2.1.1. Background**

San Bernardino County Transportation Authority Ordinance 04-01 was approved by the voters of San Bernardino County on November 4, 2004. The Ordinance, referred to in the Strategic Plan as Measure I 2010-2040 to distinguish it from the 20-year half-cent sales tax measure that took effect in April 1990. A complete copy of the Ordinance, including the Expenditure Plan, is provided in Appendix A. All the financial data in the Expenditure Plan have been updated in this Strategic Plan.

The Measure I retail transactions and use tax is statutorily dedicated for transportation planning, design, construction, operation and maintenance only in San Bernardino County and cannot be used for other governmental purposes or programs. There are specific safeguards in the Ordinance to ensure that funding is used in accordance with the specified voter-approved transportation project improvements and programs (see Appendix A).

The Measure I Ordinance contains maintenance-of-effort provisions that state that funds provided to government agencies by Measure I are to supplement, and not replace, existing local revenues being used for transportation purposes. replace requirements for new development to provide for its own road needs. In addition, Measure I 2010-2040 revenues are not to replace requirements for new development to provide for its own road needs. The Ordinance further states that Measure I funding priorities should be given to addressing current road needs, easing congestion, and improving roadway safety.

Eligible expenditures include those for planning, environmental reviews, engineering and design costs, and related right-of-way acquisition. Eligible expenditures also include, but are not limited to, debt service on bonds and expenses in connection with issuance of bonds.

#### **2.1.2. Subarea and Program Structure**

Measure I 2010-2040 is organized into subareas as shown in Figure 2-1:

- San Bernardino Valley
- Victor Valley
- North Desert
- Mountains
- Morongo Basin
- Colorado River

The Cajon Pass is located in both the Valley and Victor Valley subareas and has its own expenditure plan.

Figure 2-1 – Map of Expenditure Plan Subareas

Measure I 2010-2040 has a return-to-source provision that states that funds shall be allocated to subareas in accordance with the actual revenue collected in each subarea. After deduction of required Board of Equalization fees and authorized administrative costs, revenues generated in each subarea are to be expended on projects of direct benefit to that subarea. Revenues are accounted for separately for each subarea and then allocated to specified project categories in each subarea. These project categories are termed “programs” in this Strategic Plan.

Decisions on how revenues are expended within the subareas are made by the SANBAG Board of Directors, based upon recommendations of local representatives. Other than the projects identified in the Cajon Pass Expenditure Plan, revenues generated within a subarea are to be expended outside of that subarea only upon approval of two-thirds (2/3) of the jurisdictions within the affected subarea. A proportional share of projected state and federal transportation funds is to be reserved for use solely within the Valley subarea and individual Mountain/Desert subareas.

In the San Bernardino Valley subarea, the Measure I 2010-2040 programs are as follows:

- Freeway Program
- Freeway Interchange Program
- Major Street Program
- Local Street Program
- Metrolink/Rail Program
- Express Bus/Bus Rapid Transit Program
- Senior and Disabled Transit Program
- Traffic Management Systems Program

In each of the Mountain/Desert subareas, the programs are as follows:

- Local Street Program
- Major Local Highway Program
- Senior and Disabled Transit Program

Project eligibility and Measure I funding distribution for each of the programs are delineated in Section 2.1.4.

### 2.1.3. Contributions from New Development

Section VIII of the Measure I ordinance states specific development mitigation requirements:

*“SECTION VIII. CONTRIBUTIONS FROM NEW DEVELOPMENT. No revenue generated from the tax shall be used to replace the fair share contributions required from*

*new development. Each local jurisdiction identified in the Development Mitigation Program must adopt a development financing mechanism within 24 months of voter approval of the Measure 'I' that would:*

*"1) Require all future development to pay its fair share for needed transportation facilities as a result of the development, pursuant to California Government Code 66000 et seq. and as determined by the Congestion Management Agency.*

*"2) Comply with the Land Use/Transportation Analysis and Deficiency Plan provisions of the Congestion Management Program pursuant to California Government Code Section 65089.*

*"The Congestion Management Agency shall require fair share mitigation for regional transportation facilities through a Congestion Management Program update to be approved within 12 months of voter approval of Measure 'I'."*

SANBAG serves as the Congestion Management Agency for San Bernardino County. The SANBAG Board approved modifications to the Congestion Management Program (CMP) to incorporate these provisions for the urbanized areas of the County (Valley and Victor Valley) in November, 2005. This included preparation of the Development Mitigation Nexus Study (now Appendix K of the CMP) and the development mitigation implementation language in Appendix J of the CMP. Local jurisdictions in the Valley and Victor Valley responded by the end of 2006 to these requirements with the creation or update of development impact fee (DIF) programs that include mitigation for improvements to freeway interchanges, rail/highway grade separations, and arterial streets on a regional network.

#### 2.1.4. Revenue Distribution and Eligible Projects by Subarea and Program

As indicated above, Measure I funds shall be allocated to subareas by percentage of the actual revenue received. The Cajon Pass expenditure plan will receive three percent of the revenue generated in the San Bernardino Valley Subarea and the Victor Valley Subarea. This revenue will be reserved in an account for funding of the I-15/I-215 Interchange in Devore, I-15 widening through Cajon Pass, and truck lane development. The subarea programs for the San Bernardino Valley and Mountain/Desert Subareas are explained below:

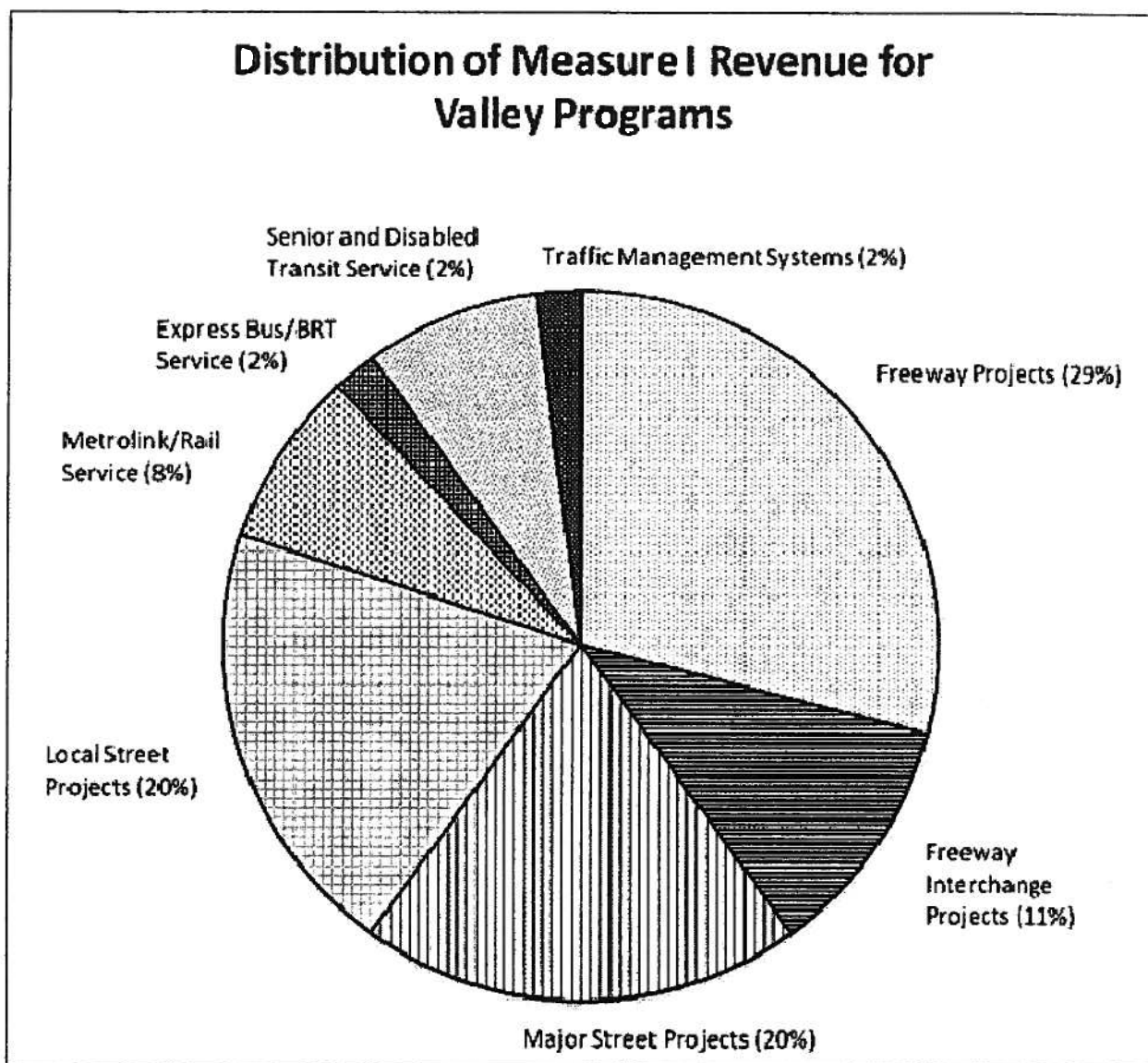
##### San Bernardino Valley Subarea

- Freeway Program –
  - Receives 29% of Valley subarea revenues
  - Eligible projects include: I-10 widening from I-15 to Riverside County Line, I-15 widening from Riverside County Line to I-215, I-215 widening from Riverside County Line to I-10, I-215 widening from SR-210 to I-15, SR-210 widening from I-215 to I-10, and carpool lane connectors
- Freeway Interchange Program
  - Receives 11% of Valley subarea revenues

- Eligible projects include various interchanges on I-10, I-15, SR-60, I-215, and SR-210. The SANBAG Nexus Study contains a listing of 38 interchanges in the Valley that could be eligible for these funds
- Major Street Program
  - Upon initial collection of revenue, the Major Street Program will receive 20% of revenue collected in the Valley. Effective ten years following initial collection of revenue, the Major Street Program allocation shall be reduced to no more 17% but to not less than 12% upon approval by the Authority Board of Directors and the Express Bus/Bus Rapid Transit Service allocation shall be increased by a like amount. Equitable geographic distribution of projects shall be taken into account over the life of the program.
  - The SANBAG Nexus Study and CMP requirements have established projects that are eligible for funding under this program. Both rail/highway grade separations and arterial highway improvements on the regional network are eligible. The regional network is identified in the Nexus Study.
- Local Street Program
  - Receives 20% of revenue collected in the Valley subarea. This revenue is distributed to local jurisdictions for local street projects. Allocations to jurisdictions shall be on a per capita basis using the most recent State Department of Finance population estimates for January 1.
  - Local street projects are defined as local street and road construction, repair, maintenance and other eligible local transportation priorities. Expenditure of funds shall be based on a Five Year Plan adopted annually by the governing body of each jurisdiction. Funds are passed by SANBAG directly through to the local jurisdictions.
- Metrolink/Rail Program
  - Receives 8% of Valley subarea revenues
  - Eligible expenditures include, in part, purchase of additional Metrolink commuter rail passenger cars and locomotives, construction of additional track capacity, construction of additional parking spaces at Metrolink stations, new passenger rail service between San Bernardino and Redlands, and extension of the Gold Line light rail to Montclair.
- Senior and Disabled Transit Service
  - Receives 8% of Valley subarea revenues
  - This is a continuation of the senior and disabled transit program in Measure I 1990-2010.
- Express Bus/Bus Rapid Transit Service
  - Upon initial collection of revenue, the Express Bus/Bus Rapid Transit Service category will receive 2% of revenue collected in the Valley. Effective ten years following initial collection of revenue, the Express Bus/Bus Rapid Transit Service category shall be increased to at least 5%, but no more than 10% upon approval by the Authority Board of Directors. The Major Street Projects category shall be reduced by a like amount.

- Funds in this category shall be expended for the development, implementation, and operation of express bus and bus rapid transit service, to be jointly developed by SANBAG and transit service agencies serving the Valley subarea.
- Traffic Management Systems
  - Receives 2% of Valley subarea revenue
  - Eligible projects include signal synchronization, systems to improve traffic flow, commuter assistance programs, freeway service patrol, and projects which contribute to environmental enhancement associated with transportation facilities.

The pie chart below summarizes the percentage distribution for Valley programs.

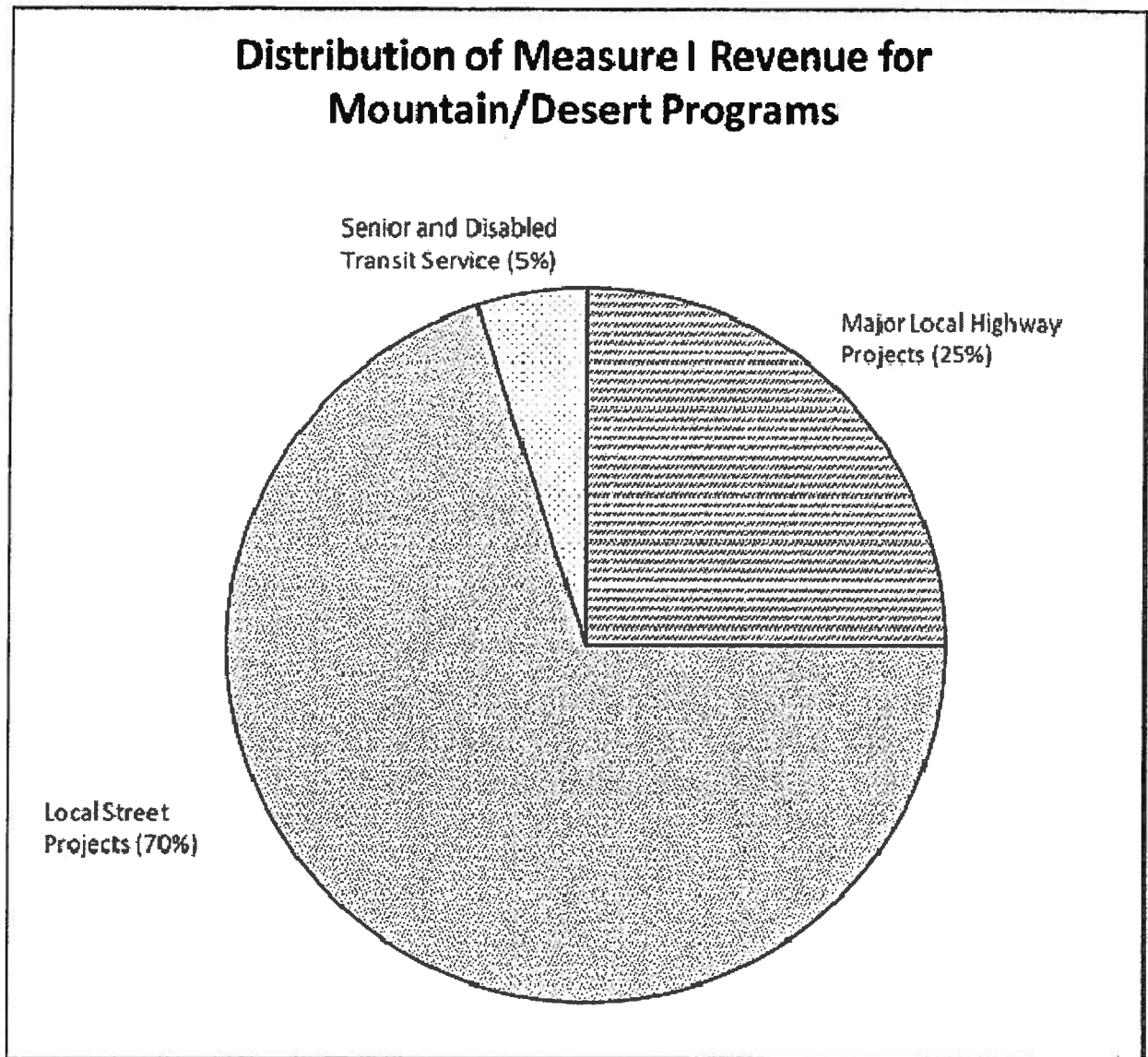


### Mountain/Desert Subareas

The following Expenditure Plan requirements apply to each of the Mountain/Desert Subareas

- Local Street Program
  - 70% of revenue collected within each subarea shall be apportioned for Local Street Projects within each subarea. 2% of revenue collected within each subarea shall be reserved in a special account to be expended on Project Development and Traffic Management Systems.
  - After reservation of 2% collected in each subarea for Project Development and Traffic Management Systems, the remaining amount of funds shall be allocated to local jurisdictions based on population (50 percent) and tax generation (50 percent).
  - Local street projects are defined as local street and road construction, repair, maintenance and other eligible local transportation priorities. Expenditure of funds shall be based on a Five Year Plan adopted annually by the governing body of each jurisdiction. Funds are passed by SANBAG directly through to the local jurisdictions.
- Major Local Highway Program
  - 25% of revenue collected within each subarea shall be reserved in a special account to be expended on Major Local Highway Projects of benefit to the subarea.
  - Major Local Highway Projects are defined as major streets and highways serving as primary routes of travel within the subarea, which may include State highways and freeways, where appropriate. Major Local Highway Projects funds can be utilized to leverage other state and federal funds for transportation projects and to perform advance planning/project reports.
- Senior and Disabled Transit Program
  - 5% of revenue collected within each subarea shall be reserved in an account for Senior and Disabled Transit Service. Senior and Disabled Transit funding is defined as contributions to transit operators for fare subsidies for senior citizens and persons with disabilities or enhancements to transit service provided to seniors and persons with disabilities.
  - In the Victor Valley subarea, the percentage for Senior and Disabled Transit Service shall increase by .5% in 2015 with additional increases of .5% every five years thereafter to a maximum of 7.5%.
  - In the North Desert, Colorado River, Morongo Basin, and Mountain Subareas, local representatives may provide additional funding beyond 5% upon a finding that such increase is required to address unmet transit needs of senior and disabled transit services. All increases above the 5% initial revenue collected for Senior and Disabled Transit Service shall come from the general Local Street Projects category of the subarea.
- SANBAG's Mountain-Desert Committee shall remain in effect and provide oversight to implementation of the Mountain/Desert Expenditure Plan.

The pie chart below summarizes the percentage distribution for each of the Mountain/Desert subarea programs.



## 2.2. Measure I Revenue Estimates

### 2.2.1. Background

The November 2004 Expenditure Plan for Measure I 2010-2040 estimated that \$6 billion would be generated by the half-cent sales tax over 30 years. Estimates of revenue for each subarea and program were derived from this overall revenue forecast. Estimates were in 2004 dollars and stated to be not binding or controlling. The expectation was that the revenue estimates would be periodically updated.



In April 2006, Dr. John Husing prepared a revised Measure I revenue forecast of \$8.35 billion in 2005 dollars. The upward revision to the revenue forecast was developed by revising several key assumptions that had previously been used during the preparation of the original Expenditure Plan. At its August 2006 meeting, the SANBAG Board adopted a slightly more conservative revenue estimate of \$8.0 billion for purposes of initiating work on the Measure I 2010-2040 Strategic Plan.

Modifications to the revenue assumptions by Dr. Husing in early 2008 lowered the 30-year non-inflated Measure I revenue estimates to \$7.25 billion in 2008 dollars. The SANBAG Board approved the estimates for use in the Strategic Plan at its April 2008 meeting. Although the economy in early 2008 appears to be on a path to a steeper decline than may have been projected by Dr. Husing in early 2008, the Strategic Plan has been based on the \$7.25 billion estimate of 30-year revenue countywide. The Strategic Plan assumptions will be revisited periodically, and the current estimate has proved to be sufficient to help scale each of the programs to the appropriate level.

#### 2.2.1 Measure I Subarea Revenue Estimates

The Measure I revenue forecast prepared by Dr. Husing was at the countywide level. Following the approval of the \$8 billion revenue forecast for Measure I 2010-2040, SANBAG staff began to develop subarea revenue estimates for strategic planning purposes. The challenge involved developing a methodology for disaggregating Measure I revenue to subarea levels in a way that reflects projected growth patterns.

Each Measure I subarea receives its funds based on a return-to-source calculation. SANBAG staff has information for the current subarea revenue distribution; however, each of the Measure I subareas will continue to grow at differential rates. For instance, the Victor Valley, with an abundance of vacant land and a developing retail sector, will continue to grow at a faster rate than the San Bernardino Valley, which is nearing buildout in many areas. A methodology was approved by the SANBAG Board in January 2007 that considered both historical per capita revenue growth and population growth.

Currently, San Bernardino Valley receives approximately 80.3% of the Measure I revenue and the Victor Valley subarea currently receives approximately 10.3%. The Valley generates the bulk of the revenue because of the large population and the more mature retail sector, when compared to the other Measure I subareas. Over the 30-year life of the Measure, however, the relative percent share for the San Bernardino Valley subarea is projected to be 75.5% and the relative share for the Victor Valley is projected as 14.9%. The change in the percent share of Measure I is the product of the faster growing communities, the expansion of retail opportunities and retail capture rate of the Victor Valley during the next 30 years. The final prediction of Measure I subarea shares approved for strategic planning purposes by the SANBAG Board is shown in Figure Table 2-1.

It is important to note that both the countywide revenue forecast and the forecast distribution to subareas are projections that extend 30 years into the future. The forecasts have been generated to assist in scaling the programs and projected expenditures to these expectations of revenue. As stated in the Measure I ordinance, the revenue estimates are not binding or controlling. They are a planning tool, and the actual distribution of revenue will occur according to the specifications in the ordinance.

The projected subarea shares were based on annual estimates of revenue, summed over the 30-year life of the Measure. The annual estimates have been used to conduct cash-flow analyses for several of the programs. The annual revenue stream is important in understanding the extent to which early project delivery may be possible through bonding against the Measure I revenue stream. Additional information on revenue projections is provided in the sections discussing individual programs.

**Table 2-1**  
**Projected Subarea Shares of Measure I 2010-2040**

SB Valley	Col. River	Mor. Basin	Mountains	No. Desert	V. Valley
75.6%	0.14%	2.4%	2.1%	2.1%	14.9%

Note: The Cajon Pass expenditure plan is projected to receive approximately 2.8%, separately from the above.

### 2.3. Development Mitigation Program Requirements

#### 2.3.1. Background

The Development Mitigation Program was initiated in response to specific language that was included in the Measure I 2010-2040 Ordinance. The development contribution requirements of Measure I 2010-2040 are included in Section VIII of the ordinance, which was referenced in Section 2.1.3.

The SANBAG Development Mitigation Program was approved by SANBAG, acting as the San Bernardino County Congestion Management Agency (CMA), on October 5, 2005 and revised based on amendments approved by the SANBAG Board on July 5, 2006, October 4, 2006, November 1, 2006, January 10, 2007, March 7, 2007 and November 7, 2007. The Development Mitigation Program is comprised of three documents, all of which are included as components of the San Bernardino County Congestion Management Program — Chapter 4 of the CMP (“Land Use/Transportation Analysis Program”), Appendix K of the CMP (“Development Mitigation Nexus Study”) and Appendix J of the CMP (Development Mitigation Program Implementation Language).

#### 2.3.2. Urban and Rural Development Mitigation Requirements

The San Bernardino County CMP implements the Land Use/Transportation Analysis Program and development mitigation requirements with two distinct approaches, depending on geographic location within the County. The first approach addresses the urbanized cities and associated spheres of influence in the San Bernardino Valley and Victor Valley. The second approach applies to all other areas of the County. These two approaches are summarized below:

1. For San Bernardino Valley and Victor Valley cities and sphere areas: local jurisdictions implement development mitigation programs that generate development contributions for regional transportation improvements equal to or greater than fair share contributions determined through the SANBAG Development Mitigation Nexus Study (Appendix K of the CMP). Regional transportation facilities addressed by the Nexus Study include freeway interchanges, railroad grade separations, and regional arterial highways on the Nexus Study Network. Local jurisdiction development mitigation programs must comply with the implementation requirements established in Appendix J of the CMP. As of January 2007, each local jurisdiction adopted a compliant development mitigation program based on the requirements established by the SANBAG Development Mitigation Program. The local jurisdictions required to participate in the Development Mitigation Program are: Adelanto, Apple Valley, Chino, Chino Hills, Colton, Fontana, Grand Terrace, Hesperia, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, Victorville, Yucaipa and the County of San Bernardino for spheres of influence. The development contributions are collected and allocated by local jurisdictions based on policies included in the Valley Freeway Interchange, Valley Major Street and Victor Valley Major Local Highway Programs contained in this strategic plan. Development contributions are not held by SANBAG.
2. For areas outside the San Bernardino Valley and Victor Valley cities and spheres: local jurisdictions must prepare Traffic Impact Analysis (TIA) reports for proposed development projects exceeding specified thresholds of trip generation. This is a continuation of a requirement established when the CMP was originally approved by the SANBAG Board in 1992. TIA reports must comply with requirements contained in Appendix C of the CMP. Local jurisdictions required to participate in the TIA program are: Barstow, Big Bear Lake, Needles, Twentynine Palms, Yucca Valley and other un-incorporated areas in the Mountain/Desert subareas.

At their discretion, jurisdictions outside the urbanized Valley and Victor Valley may adopt Approach 1, in coordination with and subject to the approval of the SANBAG Board. However, an amendment to the Nexus Study is required for this to occur. Estimates of revenue that may be generated by the development mitigation program are referenced in the Financial Analysis sections of this Strategic Plan for the relevant Valley and Victor Valley programs. Appendices J and K of the CMP should be referenced for

policies governing structure of the development mitigation program and its associated policies.

The 2007 update of the Nexus Study estimates that \$1.2 billion in development contributions in the San Bernardino Valley could be available to interchanges, rail/highway grade separations, and arterial projects on the regional network to supplement Measure I resources. The Nexus Study estimates that approximately \$460 million in development contributions could be available for such projects in the Victor Valley. Most jurisdictions have additional development-based fees and mitigation for local street projects that are not part of the regional network. Development contributions will likely be part of the funding picture for other Mountain/Desert subareas as well, but these will occur on a project-by-project basis in accordance with site-specific traffic studies and mitigation requirements.

#### 2.4. Other Sources of Revenue

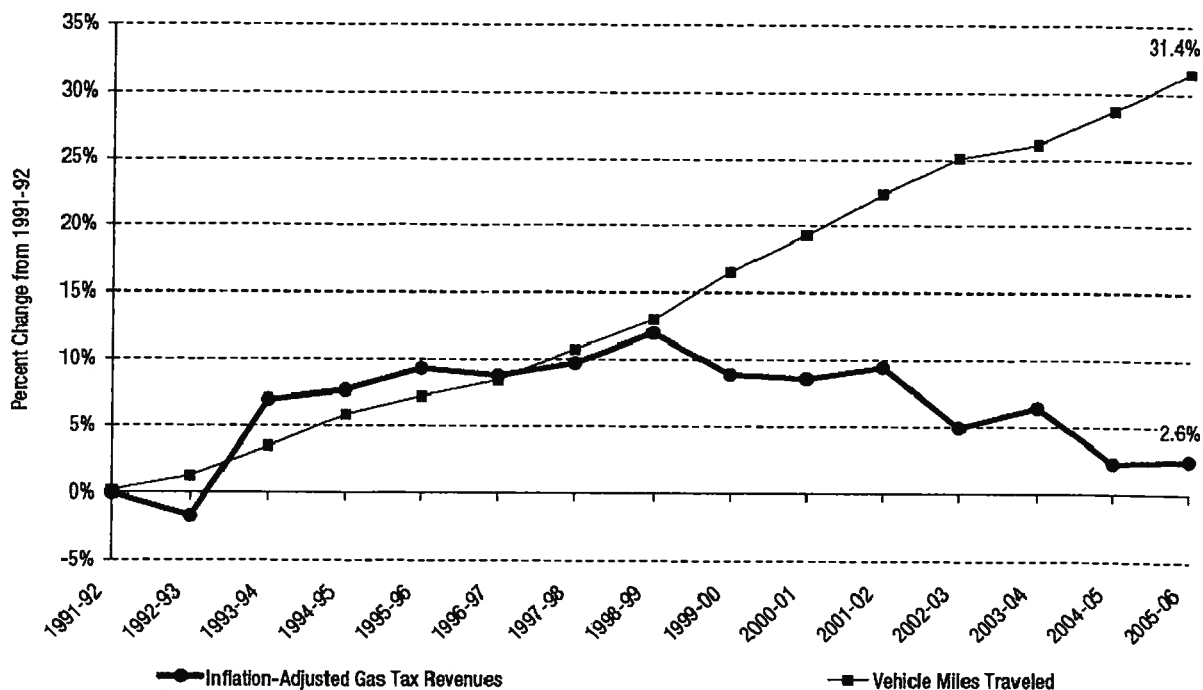
The purpose of this section is to provide an overview of state and federal funding for transportation, as related to the delivery of Measure I projects. A basic understanding of state and federal funding processes and trends is important to be able to establish sound policy direction. Additional information on state and federal funding programs is available on the SANBAG website.

State and federal funding continues to be an important component of project delivery in the Measure I Expenditure Plan. However, the availability of state and federal funding has been steadily declining over the past 20 years. Through the mid-1990s in California, state and federal transportation revenues accounted for almost 75% of total transportation funding, and local agencies contributed approximately 25%. The local share is now approximately 51%, only a little over 10 years later. California has not raised its fuel tax since 1990, and virtually all of the gas tax available to the state is being used for maintenance of the existing system. Figure 2-2 shows a comparison of the increase in State gas tax revenue, on an inflation-adjusted basis, with the increase in travel within California in vehicle miles.

Additionally, the federal highway trust fund is in serious trouble, with indications that the fund will be completely exhausted in late summer 2009. It would have been exhausted in Fall 2008, were it not for an emergency infusion of \$8 billion by Congress. An effort is being made in Congress to address the problem in advance of the reauthorization of the Federal Transportation Act, but it is a very difficult issue, considering the unpopular prospect of an increase to the federal gas tax.

Absent local option sales tax measures, few resources would be available for expansion of the transportation system in California. In total, as of 2007, 19 counties in California have adopted local option sales tax measures to fund transportation improvements. San Bernardino County's local option sales tax, Measure I, was initially approved in 1989 and reauthorized in 2004. Revenue from the initial Measure is projected to total \$1.8 billion. Were it not for Measure I, the substantial improvements to the regional highway system would not have been possible.

**Figure 2-2**  
**Increase in Inflation-Adjusted State Gas Tax Revenue vs. Vehicle Miles of Travel**



Source: Legislative Analyst's Office

The continuity and sustainability of state and federal funding is uncertain, at best. It is against this backdrop that financial planning for the Measure I 2010-2040 Strategic Plan has been conducted. Appendix B provides a brief overview of the sources and uses of State and federal transportation funding as they are known at this time.

### 2.5. Strategic Plan Updates and Amendments

This Measure I 2010-2040 Strategic Plan is intended to be updated periodically to reflect changes in project costs, revenues, economic conditions, and project priorities that will undoubtedly occur over the 30-year life of the Measure. Section XIV (1) of the San Bernardino County Transportation Authority Ordinance No. 04-01 states, "Beginning in 2015, and at least every ten years thereafter, the Authority shall review, and where necessary, propose revision to the Expenditure Plan." It is expected that Expenditure Plan revisions such as those contemplated by Ordinance 04-01 would trigger reconsideration of the Strategic Plan as well. However, changes in Strategic Plan policy to reflect marked changes in fiscal conditions and transportation priorities can be considered at any time deemed appropriate by a majority of the SANBAG Board of Directors.

Appendix X provides a brief overview of the sources and uses of State and federal transportation funding as they are known at this time. Figure X-1 provides a flowchart showing the many elements involved in funding transportation projects in California.

## Transportation Funding in California - Overview



highway system Any excess of funding in the State Highway Account then flows into the STIP for programming on projects designed to provide new highway capacity. Today, the SHOPP consumes virtually all of the available funds in the State Highway Account, yet the SHOPP receives only about half of the needed funding for maintenance and operational improvements to the highway system. Less than 10 years ago the SHOPP was fully funded and new programming capacity was available for STIP projects from the State Highway Account. While the state has taken a more aggressive role in the maintenance and operation of the highway system than it did in the past, resulting in the larger percentage of unfunded SHOPP projects, it is clear that current state funding levels are inadequate to maintain and operate the highway system, much less expand it using the fuel tax.

Until 1997 the STIP was controlled principally by Caltrans. Regional agencies, such as SANBAG, had the authority to prepare a recommendation to the California Transportation Commission (CTC) for how STIP dollars should be spent. Caltrans prepared a similar recommendation to the CTC. Typically, Caltrans and SANBAG were able to come to an agreement on how the money should be spent, and the CTC would generally approve it. This process was changed by SB45 in 1997. SB 45 stated that the STIP would be split, with 75% going to regions and 25% to Caltrans. The 75% is called the Regional Improvement Program (RIP), and the 25% is called the Inter-regional Improvement Program (IIP). The 75% was further divided so that 40% would be committed to Northern California and 60% would be committed to Southern California. San Bernardino County currently receives 4.6% of the total available RIP funds, 6.2% of the Southern California regional share, which is calculated based on the county's relative share of population and road miles.

SANBAG is provided its STIP estimate biennially. Based on the STIP estimate, SANBAG prepares a programming recommendation that is submitted to the CTC for approval. The CTC may approve the recommendation in its entirety or vote it down. The Commission cannot selectively approve or disapprove individual projects. The CTC does have the latitude to move recommended amounts of funding around based on projected revenue availability.

Of the 25% of the STIP that is spent at the discretion of Caltrans, 60% is to be spent outside designated urban areas and 40% is to be allocated to intercity rail and to projects that are largely at the discretion of the CTC. In San Bernardino County the only urbanized area in 1997 was the Valley. But with the federal census in 2000, the Victor Valley became a formally designated urbanized area. This means that Caltrans IIP funds can typically no longer be spent there. Thus, Caltrans no longer has responsibility for funding state highways in either the Valley or the urbanized area of the Victor Valley. The CTC expects SANBAG to commit RIP funds to capacity-increasing projects in those areas. However, examples exist of IIP funds being spent on state highways in urbanized areas.

During a time of budget surplus in California, Governor Gray Davis established the Traffic Congestion Relief Program (TCRP) in 1999-2000 with the purpose of providing congestion relief, the safe and efficient movement of goods and better connections between various modes of travel. Ultimately, the TCRP program was met with limited success, as the funding was erratic due to State budget problems beginning in 2001. While TCRP as a program was only minimally successful, the program established a

precedent for the use of sales tax on gasoline to fund transportation improvement projects, instead of treating it as a state general fund revenue source.

Based on the precedent established under the TCRP, Proposition 42 was a ballot initiative approved by the voters of California in 2002 that required the of gasoline sales tax to be used for transportation improvements. Proposition 42 committed 40% of the money to cities and counties, 40% to the STIP, and 20% to public transit. However, Proposition 42 allowed the State to divert the gasoline sales tax into the general fund, instead of funding transportation projects during a financial crisis. During the first four years following the passage of Proposition 42, the funding was made available to transportation projects in two out of the four years. The inconsistency in which Proposition 42 revenue became available to transportation projects led many in the transportation industry to call for additional safeguards to the revenue stream. In 2006, Proposition 1A passed, and limits the number of times that diversion of gasoline sales tax revenue can occur. Proposition 1A allows for the gasoline sales tax revenue to be diverted into the State General Fund in times of financial distress, but limits the number of occurrences to 2 years out of 10. Additionally, the State is required to repay the borrowed funds, including interest, within 3 years and cannot borrow the second time until the first loan is repaid.

Finally, 1/4 cent of the state sales tax is also a principal source of funding for transportation through the Transportation Development Act (TDA). TDA funds may be used for transit operating or capital purposes, but are not eligible for use on non-transit related highway or local street and road improvements.

If not for voter approval of Propositions 42, 1B and Tribal Gaming compacts, there would be no designated revenue source to fund the STIP. As vehicle fuel efficiency increases, the purchasing power of the fuel tax erodes, additional revenue streams for transportation improvements will continue to be evaluated.

## X.2. Federal Funding Background

Federal excise tax rates are 18.4 cents per gallon for gasoline and 24.4 cents per gallon for diesel fuel. In addition, federal excise taxes are collected on tires, large trucks, trailers, and trucks pay the annual federal heavy vehicle use tax. Sales-weighted average state fuel tax rates in 2004 were 19.2 cents per gallon for gasoline and 20.0 cents per gallon for diesel fuel. The highway user taxes collected by the federal government are deposited in the Federal Highway Trust Fund (divided between a highway account and a mass transit account), and payments to states are withdrawn from the fund. The Highway Trust Fund is a bookkeeping device to make apparent the relation of user fee collections to spending. Authorizations in the surface transportation acts are limited by the balance in the fund and the projected deposits from user tax revenues.

Periodic federal surface transportation acts provide multiyear funding authorizations for federal highway and mass transportation capital grant programs. The federal surface transportation acts also set program rules and highway user taxes. Federal rules include standards with regard to design, maintenance, and safety for projects making use of federal aid. The three most recent federal surface transportation acts are ISTEA, TEA-21 and SAFETEA-LU. The landmark component of the recent set of transportation acts



occurred with ISTEA, which introduced Surface Transportation Program (STP) and Congestion Mitigation Air Quality (CMAQ) Improvement Program. STP is a flexible funding source that may be used by States and localities for projects on any Federal-aid highway, including the NHS, bridge projects on any public road, transit capital projects, and intracity and intercity bus terminals and facilities. CMAQ, on the other hand, is provided to non-attainment air basins for surface transportation and other related projects that contribute to air quality improvements and reduce congestion. The Clean Air Act amendments, ISTEA and the CMAQ program together were intended to realign the focus of transportation planning toward a more inclusive, environmentally-sensitive, and multimodal approach to addressing transportation problems. Both programs require local jurisdictions to provide a match to the federal funding that varies between 10% and 20%, depending on the program.

The amounts authorized for each year in the surface transportation act are distributed annually to the states. Most funds are apportioned according to formulas specified in the act, within categorical programs. Apportionment formulas include such factors as each state's shares of highway lane miles, vehicle miles of travel, and Highway Trust Fund revenue collections. The surface transportation acts provide contract authority, that is, state spending that incurs a federal obligation may take place as soon as funds are apportioned each year. This is in contrast to most federal programs, in which amounts authorized may not be used until Congress enacts a second law appropriating funds to pay for authorized spending. The Federal Transit Administration (FTA) manages a number of grant programs for transit capital projects and for operations/maintenance. An important FTA program to consider for Measure I transit capital projects is the Section 5309 New Starts and Small Starts program. Projects become candidates for funding under this program by successfully completing the appropriate steps in the major capital investment planning and project development process. Small Starts projects include those with FTA grants up to \$75 million. New Starts are those with FTA capital investments greater than \$75 million. More information is provided on transit funding programs in Sections 3.3.2.7 and 3.3.2.8.

### X.3. Background on Toll-Based and Other Revenue Sources

Alternative financing strategies are being increasingly considered to fill the gap in public funding for transportation. Prior to the late 1980s, the State of California did not utilize toll based funding to the same extent as some other states in the U.S. Tolls were primarily limited to bridges, but not highways. In the late 1980s, two pieces of legislation were passed enabling toll road construction in California. In 1987, SB1413 was approved and granted the Orange County Transportation Corridor Agencies the approval to construct three new roads as toll facilities. The three toll facilities constructed under this legislative authority are the SR-73, SR-241 and SR-261.

In 1989, Assembly Bill 680 was passed by the California State Assembly authorizing Caltrans to enter into negotiations with private transportation companies to construct privately owned and operated transportation projects in up to four regions of the state as pilot projects. While four projects were approved through the legislation, only the SR-91

Express Lanes in Orange County and the SR-125 toll road in San Diego County were constructed.

Tolling authority in California continues to be permitted on a case-by-case basis, but tolling has progressed to the point in California that a number of metropolitan areas are incorporating them into their regional transportation plans. The Metropolitan Transportation Commission and Los Angeles Metropolitan Transportation Authority are currently studying the development of regional High Occupancy Toll (HOT) networks. San Diego Association Governments is expanding its I-15 HOT (High Occupancy Toll) project and has incorporated the construction of several additional HOT projects into its reauthorized sales tax measure TransNet. Riverside County Transportation Commission has completed feasibility studies on the creation of HOT lanes on several of its key freeways and has legislation authority to proceed further on HOT lanes for I-15.

Another potential source of transportation funding that has been mentioned in California over the past several years are fees levied on containers passing through the ports of California. The fees would be assessed on containers to provide additional transportation infrastructure and community impact mitigation required due to federal government trade policy. The California State Legislature voted to approve the imposition of container fees in the State of California through SB 974 (2008). However, the legislation was vetoed by Governor Schwarzenegger.

Measure I incorporates a number of goods movement related projects, including freeway, interchange and grade separation projects. The creation of a container fee program could represent a significant infusion of transportation funding to the region.

**ATTACHMENT #3**

San Bernardino Associated Governments	<b>Policy</b>	4xxxx
Adopted by the Board of Directors	Month Day, Year	Revised
		m/d/yyyy
<b>Other Mountain/Desert Subareas Programs Local Streets Program 2010 – 2040 Measure I Strategic Plan</b>	Revision No.	0

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Note: This notice is left off draft policies and is only inserted when posted to the SANBAG Intranet.

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Note: This area is used to link to bookmarks inserted in the main paragraph headings.

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## **I. PURPOSE**

The purpose of this policy is to establish guidelines relating to adoption of Five Year Plans by local jurisdictions outlining the projects which will be funded the Measure I 2010-2040 Other Mountain/Desert Subareas Programs Local Streets Program.

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## **II. REFERENCES**

Ordinance No. 04-01 of the San Bernardino County Transportation Authority, Exhibit A – Transportation Expenditure Plan

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## **III. DEFINITIONS**

- a. **Other Mountain/Desert Subareas Programs Local Streets Program:** 70% of the total Measure I 2010-2040 revenue collected in the Colorado, Morongo Valley, Mountain, and North Desert Subareas. After reservation of 2% collected in each subarea for Project Development and Traffic Management Systems, the remaining amount of funds will be allocated for Local Street Projects. This program will be used by local jurisdictions to fund Local Street Projects.
- b. **Local Street Projects:** Local street and road construction, repair, maintenance and other eligible local transportation priorities. Local Street Project funds can be used flexibly for any eligible transportation purpose determined to be a local priority, including local roads, major streets, state highway improvements, transit, and other improvements/programs to maximize use of transportation facilities.
- c. **Population:** For incorporated cities, the population is determined annually by the State Department of Finance population estimate as of January 1 of that year. For the unincorporated areas of the Valley Subarea, the population is determined annually by the County Planning Department, reconciled with the State Department of Finance population estimate as of January 1 of that year.
- d. **Tax Generation:** Tax Generation is based on the sales tax generated in the jurisdiction as calculated by the State Board of Equalization.
- e. **Local Streets Allocation:** Each jurisdiction, after reservation of 2% collected in each subarea for Project Development and Traffic Management Systems, receives an allocation of the remaining amount of funds in the Local Street Projects category based upon population (50%) and tax generation (50%).
- f. **Five Year Plan:** A plan of projected local jurisdiction expenditures for the next five years on Local Street Projects eligible for Local Streets Program funds, updated annually and submitted to SANBAG by local jurisdictions.

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#### **IV. POLICY FRAMEWORK FOR THE OTHER MOUNTAIN/DESERT SUBAREAS LOCAL STREETS PROGRAM**

##### **A. Local Streets Allocation**

1. Each jurisdiction receives an allocation from 70% of the Measure I revenue, after reservation of 2% collected in the subarea for Project Development and Traffic Management Systems, on a population and sales tax generation basis using the population estimate as of January 1 of that year and the sales tax figures from the State Board of Equalization.
  - a. The population estimate for making the per capita calculation shall be determined by SANBAG each year based on the State Department of Finance population estimate as of January 1 of that year. For the unincorporated areas, the calculation shall be based on the population estimate from the County Planning Department and reconciled with the State Department of Finance population estimate as of January 1 of that year.
  - b. The sales tax figures for making the sales tax generation calculation shall be determined by SANBAG each quarter based on sales tax figures provided by the State Board of Equalization.
2. Local jurisdictions shall not receive their Local Streets Allocation until they have submitted their annual update of their Five Year Plan.
3. The Local Streets Allocation will be remitted to local jurisdictions monthly.
4. Local Streets Allocations remitted from January 1 until such time as the State Department of Finance has issued their population figures and SANBAG has made the per capita calculation, shall be based on the prior year's calculation. Once the per capita calculation has been made, the calculation will be applied retroactively to January 1 and amounts received by local jurisdictions will be adjusted to account for the difference in the amount remitted during the retroactive period and the amount that should have been remitted adjusted for the new per capita calculation.
5. Local Streets Allocations sales tax generation portion will be based on the prior quarter's data. Because of the lag in receiving sales tax data from the Board of Equalization, the Sales Tax Generation calculations for that portion of the Local Streets Allocation will be calculated using the data from the prior quarter. (Example: During the months of January, February and March SANBAG will use the local sales tax generation figure derived from the fourth quarter of the previous calendar year.)
6. SANBAG will make the monthly allocations using the following procedure:
  - a. Determine total amount of Measure I Sales Tax generated in the subarea from information submitted by the State Board of Equalization.
  - b. Multiply the total Measure I Sales Tax received for the month by 0.68 to arrive at the total subarea Local Streets Allocation.
  - c. Divide the total subarea Local Streets Allocation by two to determine the 50% component to be allocated based on population and the 50% component to be based on sales tax generation.
  - d. Divide the 50% component allocated based on population by the total population figure for the subarea. This result is the per capita allocation for the entire subarea. Multiply this per capita figure by each jurisdiction's population to arrive at the population based component of each jurisdiction's allocation.
  - e. Divide the Measure I Sales Tax generated in each jurisdiction by the total amount of Measure I Sales Tax generated in the subarea as a whole to arrive at the Sales Tax Generation Percentage for each jurisdiction. Multiply the 50% component based on sales tax generation of the subarea Local Streets Allocation by the Sales Tax Generation Percentage for each jurisdiction to arrive at the sales tax generation component of each jurisdiction's allocation.
  - f. Add the population based component and the sales tax based component of each jurisdiction's allocation to arrive at the total Local Streets Allocation for each jurisdiction.
7. Upon each jurisdiction in a particular subarea making a finding that an increase in Senior and Disabled Transit Service is needed to meet the unmet transit needs of senior and disabled users,

the Local Streets allocation may be reduced and that allocation may be shifted to the Senior and Disabled Transit Service Program for that subarea.

#### **B. Development Fair Share Contribution**

1. Development Fair Share Contribution is required by Measure I 2010-2040 for all capacity improvement projects for transportation facilities as identified by a Traffic Impact Analysis as required by the Congestion Management Plan that receive Local Streets Allocations. The amount of the Development Fair Share Contribution for each project is defined by Traffic Impact.
2. Annually as part of its audit of each jurisdictions' use of Measure I funds, SANBAG will specifically look to make sure that the Development Fair Share Contribution towards capacity improvements is accounted for. If a material finding is made in the audit showing that the Development Fair Contribution was not made, then SANBAG may, as the Congestion Management Authority, withhold Section 2105 Gas Tax funds or Measure I Local Street Allocations until the jurisdiction shows that they are in compliance with the Congestion Management Plan.

#### **C. Five Year Plan**

1. Each local jurisdiction is required to annually adopt a Five Year Plan which details the specific Local Street Projects which will be funded using Measure I 2010-2040 Local Streets Program funds. The Five Year Plan must be adopted by resolution of the governing body of each local jurisdiction receiving Local Streets Program funds.
  - a. Five Year Plans will specifically identify road improvements, signals, and intersection improvements by street name, boundaries, and project type.

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#### **VI. REVISION HISTORY**

Revision No.	Revisions	Adopted
0	Adopted by the Board of Directors.	mm/dd/yyyy
1	Provide list of changes.	mm/dd/yyyy

San Bernardino Associated Governments	<b>Policy</b>	4xxxx
Adopted by the Board of Directors	Month Day, Year	Revised
<b>Other Mountain/Desert Subareas Major/Local Highways Program Measure I 2010 – 2040 Strategic Plan</b>		Revision No.
		0

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Purpose | References | Definitions | Revision History |

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## I. PURPOSE

The purpose of this policy is to establish the framework for administration of the Colorado River, Morongo Basin, Mountain, and North Desert Subareas Major/Local Highways Program for Measure I 2010-2040. The policy establishes the funding apportionment and allocation process for establishing and monitoring equitable shares for individual jurisdictions, project eligibility, reimbursement mechanisms, limitations on eligible expenditures, and the role of SANBAG.

## II. REFERENCES

Ordinance No. 04-01 of the San Bernardino County Transportation Authority, Exhibit A – Transportation Expenditure Plan

## III. DEFINITIONS

- Other Mountain/Desert Subareas Major/Local Highways Program:** 25% of the total Measure I 2010-2040 revenue collected in the Colorado River, Morongo Basin, Mountain, and North Desert Subareas. This program will be used by local jurisdictions to fund Major/Local Highways projects of benefit to the subarea.
- Major/Local Highways Projects:** Major streets and highways serving as primary routes of travel within each subarea, which may include State highways and freeways, where appropriate. These funds may also be used to leverage other state and federal funds for transportation projects and to perform planning/project reports.
- Development Fair Share:** The portion of the cost for regional transportation improvements (freeway interchanges, railroad grade crossings, and regional arterial highways) to be paid from contributions from new development.
- Capital Projects Needs Analysis:** A plan of projected local jurisdiction expenditures for the next five years on Major/Local Highways eligible for Major/Local Highways Program funds, updated annually and submitted to SANBAG by local jurisdictions. The Capital Project Needs Analysis includes anticipated funding sources, funding amounts, project phasing, and availability of development fair share funds.

## IV. POLICY FRAMEWORK FOR THE OTHER MOUNTAIN/DESERT SUBAREAS MAJOR/LOCAL HIGHWAYS PROGRAM

### A. Major/Local Highways Allocation

- Policy MDMLH-1 - The Major/Local Highways Program of the Other Mountain/Desert Subareas shall be funded from 25% of the Measure I 2010-2040 revenue collected within the subareas. This amount shall be reserved in a special account to be expended on Major/Local Highway Projects of

benefit to the subareas. Major/Local Highway Projects are defined as major streets and highways serving as primary routes of travel within each of the subareas, which may include State highways and freeways. Where appropriate, Major/Local Highway Projects funds can be utilized to leverage other state and federal funds for transportation projects and to perform advance planning/project reports.

2. Policy MDMLH-2 - Major/Local Highways funds shall be allocated to each jurisdiction over the 30-year life of the Measure, subject to the qualifications stated in the policies below.
  - a. Allocations through the term of the Measure shall be made factoring in geographic equity throughout the subarea as adjusted to account for the time-value of money, per Policy MDMLH-4 listed below.
  - b. Allocations shall be made to projects from candidate project lists developed in cooperation with transportation planning partners.
  - c. Allocations shall serve to maximize leveraging of private, local, Federal, and State dollars, with particular attention to leveraging of Interregional Transportation Improvement Program Funds on the Interregional Road System.
  - d. Allocations shall be made with an objective of delivering major improvements at the earliest possible date.
  - e. SANBAG shall actively engage in planning and project delivery of Major/Local highway Projects in collaboration with local jurisdictions and Caltrans in a manner which will minimize the time and cost of project delivery.
3. Policy MDMLH-3 - A master list of projects eligible for Major/Local Highways Program funding shall be maintained and periodically updated by each subarea. The list shall be consistent with the project eligibility criteria in Policy MDMLH-1 and shall be approved by the SANBAG Board, based on a recommendation of the subarea representatives and the Mountain/Desert Committee. In preparing the list, input shall be considered from each of the local jurisdictions and from SANBAG. The list shall represent the list of eligible projects and shall not represent a commitment by SANBAG to fund all or a portion of those projects. Funding commitments will be managed under the terms of Policy MDMLH-6 shown below.
4. Policy VVMLH-4 - Adjustments for the time-value of money referenced in Policy MDMLH-2 shall be based on comparisons of the net present value of Measure I Major/Local Highway Program expenditures by jurisdiction, calculated using a discount rate based on the annual change in the Consumer Price Index for the State of California, as maintained by the California Department of Finance. The expenditure date shall be based on the date of consultant/contractor invoices provided to SANBAG for reimbursement on eligible Major/Local Highways Program projects.
5. Policy MDMLH-5 - By September 30 of each year, jurisdictions must submit a Five Year Capital Projects Needs Analysis (CPNA) for projects in the Major/Local Highways Program. The CPNAs cover a five year prospective period that commences the following fiscal year. The needs analysis shall document project needs by fiscal year and include anticipated funding sources, funding amounts and project phasing where appropriate. The needs analysis shall also demonstrate, where applicable, the availability of the development mitigation fair share funds. Approval of a jurisdiction's CPNA by the city council/Board of Supervisors must be accommodated within the timeframe of the September 30 submittal date.
6. Policy MDMLH-6 - In approximately March of each year, the SANBAG Board shall apportion Measure I dollars to the Major/Local Highways program and allocate funds to subarea projects, based on a recommendation of the subarea representatives and the Mountain/Desert Committee. The subarea and Mountain/Desert Committee recommendation shall be informed by requests of Measure I funds contained in the Capital Projects Needs Analysis (CPNA), the status of equitable share percentages from prior years, SANBAG's forecast of Measure I revenue that may be available for the Major/Local Highways Program, and SANBAG's assessment of opportunities for leveraging of State and federal funds. The recommendation shall include a table of project phases recommended for funding, project costs, Measure I requests, other funding sources, and the allocation of costs to jurisdictions, at a minimum. SANBAG staff shall maintain a cumulative accounting of allocations to projects by jurisdiction, adding allocations to jurisdictions' accounts

each year. Measure I funds shall be retained by SANBAG until reimbursed to jurisdictions based on invoices received.

#### **B. Development Fair Share Contribution**

1. Policy MDMLH-7 - Development Fair Share Contribution is required by Measure I 2010-2040 for Major/Local Highway Projects that have development mitigation identified by a Traffic Impact Analysis, excluding any eligible freeway mainline projects. Each jurisdiction in these subareas is required to submit a Traffic Impact Analysis for development projects in their community. The Traffic Impact Analysis must be prepared in accordance with the guidelines found in Exhibit C of the SANBAG Congestion Management Plan. The Traffic Impact Analysis will determine what, if any, Development Fair Share Contribution is required to be collected and applied toward Major/Local Highway Projects.
  - a. Jurisdictions may also elect to determine Development Fair Share Contribution by sponsoring an amendment to the SANBAG Nexus Study. The Nexus Study must be done with the agreement of all jurisdictions in the subarea. If this method is chosen, then the NEXUS Study will list the eligible projects and the Development Fair Share Contribution required.
2. Policy MDMLH-8 - Jurisdictions may borrow from other internal accounts (i.e. within their own jurisdictions) to fund the development fair share for projects. The development mitigation account shall reimburse the source of the loan as development occurs.

#### **C. Cost Reimbursement**

1. Policy MDMLH-9 - The Major/Local Highway program shall be administered as a cost reimbursement program. Sponsoring agencies shall enter into Project Funding Agreements with SANBAG prior to receiving authorization from SANBAG to expend funds. Following the authorization to expend funds, the sponsoring agency may incur expenses for the components of the project identified in the scope of work included in the Funding Agreement.
2. Policy MDMLH-10 - Advanced reimbursement shall be available to jurisdictions on an exception basis and subject to Mountain Desert Committee and SANBAG Board approval. Such advanced reimbursements shall be limited to the public share of right-of-way acquisition and based on a qualified written appraisal.
3. Policy MDMLH-11 - A local jurisdiction may begin expenditure of funds following the execution of the Project Funding Agreement. The Project Funding Agreement shall include the scope of work for a project or project phase and a commitment to provide the development share of the funding through all the phases of the project, as required by Policy MDMLH-7. The Project Funding Agreement shall be executed by the local jurisdiction and SANBAG prior to the expenditure of funding on any phase of the project. Local jurisdictions shall not be reimbursed for any costs incurred prior to the execution of the Project Funding Agreement.
4. Policy MDMLH-12 - Local jurisdictions that desire to deliver a Major/Local Highway Project to which funds cannot be allocated in a given year shall be eligible for reimbursement through an Advance Expenditure Agreement.

#### **D. Local Jurisdiction Invoices**

1. Policy MDMLH-13 - Local jurisdictions shall submit invoices to SANBAG for actual expenditures incurred for components of a project as identified in the scope of work included in the Project Funding Agreement. Invoices may be submitted to SANBAG no more frequently than monthly.
2. Policy MDMLH-14 - Local jurisdictions shall provide adequate documentation to substantiate the costs included in the invoice. At a minimum, the jurisdiction must submit the invoice provided by the contractor to the agency, which shall include unit costs, quantities, labor rates and other documentation, as appropriate, to substantiate expenses incurred by the contractor.
3. Policy MDMLH-15 - The sponsoring agency shall be reimbursed for the actual project costs minus the development mitigation fair share amount documented in the SANBAG Development Mitigation Nexus Study or in the Traffic Impact Analysis completed under the terms of the SANBAG



Congestion Management Plan, up to the limit of Measure I Major/Local Highway funding specified in the Project Funding Agreement.

**E. Local Jurisdiction Reimbursement Schedule**

1. Policy MDMLH-16 - SANBAG shall reimburse the local jurisdiction for eligible expenditures within 30 days of receiving a complete and satisfactory invoice package.

**F. Development Mitigation Fair Share Credit Agreements**

1. Policy MDMLH-17 - Local jurisdictions and developers shall be allowed to enter into credit agreements. Such agreements will be strictly between the local jurisdiction and the developer. Jurisdictions are advised to provide these credit agreements to SANBAG for review to ensure they are structured in a way that will adequately document private share costs for which the jurisdiction desires credit.
2. Policy MDMLH-18 - A copy of the credit agreement and invoices to substantiate quantities and unit costs for a project included in a credit agreement shall be provided when a local jurisdiction submits an invoice for reimbursement.
3. Policy MDMLH-19 - Local jurisdictions that submit an invoice involving a credit agreement shall separate the development mitigation portion of construction costs from any non-development mitigation portion of the development project in a verifiable fashion.

**G. Ineligible Expenditures**

1. Policy MDMLH-20 - The following costs are ineligible for reimbursement:
  - Additional environmental or architectural enhancement not required as part of the mitigation established in the environmental document(s) prepared for a project.
  - Project oversight costs, with the exception of construction support costs
  - Property acquired through the right-of-way acquisition process that is not required for the actual construction of a project.
  - Additional project scope not included in the Project Funding Agreement between the sponsoring agency and SANBAG.

**H. Construction Cost Overruns**

1. Policy MDMLH-21 - Jurisdictions shall bear full responsibility for construction cost overruns, which is established as any amount in excess of the total cost of the accepted bid and reasonable contingency amount included in the construction contract.

**I. SANBAG Project Oversight**

1. Policy MDMLH-22 - SANBAG may manage development and delivery of Major/Local Highway projects when requested to do so by the sponsoring jurisdiction. In such cases, SANBAG's costs for project oversight shall be borne by the sponsoring agency.
2. Policy MDMLH-23 - The following conditions are established for projects under SANBAG project oversight:
  - The sponsoring agency must submit a written request for SANBAG oversight of the project
  - SANBAG staff or SANBAG consultants must have available staff resources for project oversight
  - The sponsoring agency shall pay actual SANBAG project oversight costs, to be estimated in advance by SANBAG, as documented by the SANBAG financial management system.

## VI. REVISION HISTORY

Revision No.	Revisions	Adopted
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1	Provide list of changes.	mm/dd/yyyy

San Bernardino Associated Governments	<b>Policy</b>	4xxxx
Adopted by the Board of Directors                      Month Day, Year	Revised	m/d/yyyy
<b>Other Mountain/Desert Project Development and Traffic Management Systems 2010 – 2040 Measure I Strategic Plan</b>	Revision No.	0

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#### Table of Contents

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## I. PURPOSE

The purpose of this policy is to establish guidelines relating to the selection, prioritization and allocation of Project Development and Traffic Management System funds from Measure I 2010-2040.

## II. REFERENCES

1. Ordinance No. 04-01 of the San Bernardino County Transportation Authority, Exhibit A – Transportation Expenditure Plan.

## III. DEFINITIONS

1. **Other Mountain/Desert Project Development and Traffic Management Systems Program:** 2% of the total Measure I 2010-2040 revenue collected in the Colorado River, Morongo Basin, Mountain, and North Desert subareas will be reserved for Project Development and Traffic Management Systems.
2. **Project Development and Traffic Management Systems Projects:** This program will be used to fund projects including but not limited to corridor studies, project study reports, projects to improve traffic flow and maximize use of traffic facilities, congestion management, commuter assistance programs and programs which contribute to environmental enhancement associated with highway facilities.

## IV. POLICY FRAMEWORK FOR THE OTHER MOUNTAIN/DESERT SUBAREAS PROJECT DEVELOPMENT AND TRAFFIC MANAGEMENT SYSTEMS PROGRAM

### A. Project Development and Traffic Management Systems Program Allocation

1. SANBAG will develop and maintain a separate fund for the Project Development and Traffic Management Systems Program (PDTMS) in each subarea.
2. SANBAG will make the monthly allocations to the PDTMS fund using the following procedure:
  - a. Determine total amount of Measure I Sales Tax generated in the subarea from information submitted by the State Board of Equalization.
  - b. Multiply the total Measure I Sales Tax received for the month in that subarea by 0.02 to arrive at the total subarea PDTMS Allocation for that subarea.
3. Expenditures in a given year may exceed the funds received by the program that year as long as repayment to the source of the additional funds occurs in subsequent years, funding for an approved capital project is not compromised, accurate project tracking and accounting procedures

are maintained, including time-value of money considerations, and PDTMS expenditures over the life of Measure I 2010-2040 do not exceed 2 percent of the total Measure I revenues.

## **B. Project Eligibility**

1. The types of projects eligible for use of the PDTMS Program funds includes but are not limited to corridor studies, project study reports, projects to improve traffic flow and maximize use of transportation facilities, congestion management, commuter assistance programs, and projects which contribute to environmental enhancement associated with highway facilities.
2. The funds shall not be expended for actual capital improvements, but shall be used as "seed money" to support planning and creation of long-term or permanent transportation management programs or advance project development planning for projects of significance to the subarea.

## **C. Project Selection and Prioritization Criteria**

1. In approximately March of each year, the SANBAG Board of Directors shall allocate PDTMS funds to projects based on a recommendation of the respective subarea representatives and the Mountain/Desert Committee.
2. Projects funded by the PDTMS Program shall be of multi-jurisdictional significance and indirect benefits of the project should affect much of the specific subarea.
3. Projects shall be selected and prioritized on the basis of the likelihood of successful implementation and the degree of resultant quality of life or environmental benefit.
4. Legislatively mandated transportation management and environmental enhancement projects for which adequate funding is not available from other sources may receive priority from this program.
5. Projects sponsored or co-sponsored by entities which will share in funding or match PDTMS Program funds will receive priority
6. Projects which propose to use PDTMS funds in a cost-effective manner, including leveraging of additional funds for use by the project or creating beneficial multiplier effects, shall receive priority.
7. Projects shall be selected and prioritized by readiness and ability to achieve significant near-term benefits.

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## **VI. REVISION HISTORY**

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1	Provide list of changes.	mm/dd/yyyy

San Bernardino Associated Governments	<b>Policy</b>	4xxxx
Adopted by the Board of Directors	Month Day, Year	Revised
<b>Victor Valley Programs Local Streets Program 2010 – 2040 Measure I Strategic Plan</b>	Revision No.	0

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## I. PURPOSE

The purpose of this policy is to establish guidelines relating to adoption of Five Year Plans by local jurisdictions outlining the projects which will be funded the Measure I 2010-2040 Victor Valley Programs Local Streets Program.

## II. REFERENCES

1. Ordinance No. 04-01 of the San Bernardino County Transportation Authority, Exhibit A – Transportation Expenditure Plan.
2. 2007 SANBAG Congestion Management Plan

## III. DEFINITIONS

- a. **Victor Valley Programs Local Streets Program:** 70% of the total Measure I 2010-2040 revenue collected in the Victor Valley Subarea. After reservation of 2% collected in each subarea for Project Development and Traffic Management Systems, the remaining amount of funds will be allocated for Local Street Projects. This program will be used by local jurisdictions to fund Local Street Projects.
- b. **Local Street Projects:** Local street and road construction, repair, maintenance and other eligible local transportation priorities. Local Street Project funds can be used flexibly for any eligible transportation purpose determined to be a local priority, including local roads, major streets, state highway improvements, transit, and other improvements/programs to maximize use of transportation facilities.
- c. **Population:** For incorporated cities, the population is determined annually by the State Department of Finance population estimate as of January 1 of that year. For the unincorporated areas of the Valley Subarea, the population is determined annually by the County Planning Department, reconciled with the State Department of Finance population estimate as of January 1 of that year.
- d. **Tax Generation:** Tax Generation is based on the sales tax generated in the jurisdiction as calculated by the State Board of Equalization.
- e. **Local Streets Allocation:** Each jurisdiction, after reservation of 2% collected in each subarea for Project Development and Traffic Management Systems, receives an allocation of the remaining amount of funds in the Local Street Projects category based upon population (50%) and tax generation (50%).
- f. **Five Year Plan:** A plan of projected local jurisdiction expenditures for the next five years on Local Street Projects eligible for Local Streets Program funds, updated annually and submitted to SANBAG by local jurisdictions.

#### **IV. POLICY FRAMEWORK FOR THE VICTOR VALLEY LOCAL STREETS PROGRAM**

##### **A. Local Streets Allocation**

1. Each jurisdiction receives an allocation from 70% of the Measure I revenue, after reservation of 2% collected in the subarea for Project Development and Traffic Management Systems, on a population and sales tax generation basis using the population estimate as of January 1 of that year and the sales tax figures from the State Board of Equalization.
  - a. The population estimate for making the per capita calculation shall be determined by SANBAG each year based on the State Department of Finance population estimate as of January 1 of that year. For the unincorporated areas, the calculation shall be based on the population estimate from the County Planning Department and reconciled with the State Department of Finance population estimate as of January 1 of that year.
  - b. The sales tax figures for making the sales tax generation calculation shall be determined by SANBAG each quarter based on sales tax figures provided by the State Board of Equalization.
2. Local jurisdictions shall not receive their Local Streets Allocation until they have submitted their annual update of their Five Year Plan.
3. The Local Streets Allocation will be remitted to local jurisdictions monthly.
4. Local Streets Allocations remitted from January 1 until such time as the State Department of Finance has issued their population figures and SANBAG has made the per capita calculation, shall be based on the prior year's calculation. Once the per capita calculation has been made, the calculation will be applied retroactively to January 1 and amounts received by local jurisdictions will be adjusted to account for the difference in the amount remitted during the retroactive period and the amount that should have been remitted adjusted for the new per capita calculation.
5. Local Streets Allocations sales tax generation portion will be based on the prior quarter's data. Because of the lag in receiving sales tax data from the Board of Equalization, the Sales Tax Generation calculations for that portion of the Local Streets Allocation will be calculated using the data from the prior quarter. (Example: During the months of January, February and March SANBAG will use the local sales tax generation figure derived from the fourth quarter of the previous calendar year.)
6. SANBAG will make the monthly allocations using the following procedure:
  - a. Determine total amount of Measure I Sales Tax generated in the subarea from information submitted by the State Board of Equalization.
  - b. Multiply the total Measure I Sales Tax received for the month by 0.68 to arrive at the total unreserved subarea Local Streets Allocation.
  - c. Divide the total subarea Local Streets Allocation by two to determine the 50% component to be allocated based on population and the 50% component to be based on sales tax generation.
  - d. Divide the 50% component allocated based on population by the total population figure for the subarea. This result is the per capita allocation for the entire subarea. Multiply this per capita figure by each jurisdiction's population to arrive at the population based component of each jurisdictions allocation.
  - e. Divide the Measure I Sales Tax generated in each jurisdiction by the total amount of Measure I Sales Tax generated in the subarea as a whole to arrive at the Sales Tax Generation Percentage for each jurisdiction. Multiply the 50% component based on sales tax generation of the subarea Local Streets Allocation by the Sales Tax Generation Percentage for each jurisdiction to arrive at the sales tax generation component of each jurisdiction's allocation.
  - f. Add the population based component and the sales tax based component of each jurisdiction's allocation to arrive at the total Local Streets Allocation for each jurisdiction.
7. The Local Streets program allocation will be decreased by 0.5% beginning in 2015 with additional decreases of 0.5% every five years thereafter to a maximum of 2.5% to be allocated to the Senior and Disabled Transit Service Program. This change in allocation will occur automatically unless each jurisdiction in the subarea makes a finding that such increase in Senior and Disabled Transit Service Program is not needed to address unmet transit needs of senior and disabled transit users.

## **B. Development Fair Share Contribution**

1. Development Fair Share Contribution is required by Measure I 2010-2040 for all capacity improvement projects for transportation facilities that receive Local Streets Allocations identified as on the Nexus Study Network in the 2007 SANBAG Development Mitigation Nexus Study or by subsequent updates to the Nexus Study as may be adopted by the SANBAG Board of Directors or as identified by a Traffic Impact Analysis as required by the Congestion management Plan in the non-urban areas. The amount of the Development Fair Share Contribution for each jurisdiction is defined in the 2007 SANBAG Development Mitigation Nexus Study or by subsequent updates to the Nexus Study as may be adopted by the SANBAG Board of Directors or by Traffic Impact Analysis in the non-urban areas.
2. Annually as part of its audit of each jurisdictions' use of Measure I funds, SANBAG will specifically look to make sure that the Development Fair Share Contribution towards capacity improvements to Nexus Study Network facilities is accounted for. If a material finding is made in the audit showing that the Development Fair Contribution was not made, then SANBAG may, as the Congestion Management Authority, withhold Section 2105 Gas Tax funds or Measure I Local Street Allocations until the jurisdiction shows that they are in compliance with the Congestion Management Plan.

## **C. Five Year Plan**

1. Each local jurisdiction is required to annually adopt a Five Year Plan which details the specific Local Street Projects which will be funded using Measure I 2010-2040 Local Streets Program funds. The Five Year Plan must be adopted by resolution of the governing body of each local jurisdiction receiving Local Streets Program funds.
  - a. Five Year Plans will specifically identify road improvements, signals, and intersection improvements by street name, boundaries, and project type.

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<b>Victor Valley Major/Local Highways Program Measure I 2010 – 2040 Strategic Plan</b>	Revision No.	0

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1. Ordinance No. 04-01 of the San Bernardino County Transportation Authority, Exhibit A – Transportation Expenditure Plan
2. 2007 SANBAG Congestion Management Plan

## III. DEFINITIONS

- a. **Victor Valley Major/Local Highways Program:** 25% of the total Measure I 2010-2040 revenue collected in the Victor Valley Subarea. This program will be used by local jurisdictions to fund Major/Local Highways projects of benefit to the subarea.
- b. **Major/Local Highways Projects:** Major streets and highways serving as primary routes of travel within the subarea, which may include State highways and freeways, where appropriate. These funds may also be used to leverage other state and federal funds for transportation projects and to perform planning/project reports.
- c. **Development Fair Share:** The portion of the cost for regional transportation improvements (freeway interchanges, railroad grade crossings, and regional arterial highways) to be paid from contributions from new development.
- d. **Capital Projects Needs Analysis:** A plan of projected local jurisdiction expenditures for the next five years on Major/Local Highways eligible for Major/Local Highways Program funds, updated annually and submitted to SANBAG by local jurisdictions. The Capital Project Needs Analysis includes anticipated funding sources, funding amounts, project phasing, and availability of development fair share funds.

## IV. POLICY FRAMEWORK FOR THE VICTOR VALLEY MAJOR/LOCAL HIGHWAYS PROGRAM

### A. Major/Local Highways – Allocation to Eligible Projects

1. Policy VVMLH-1 - The Major/Local Highways Program of the Victor Valley Subarea shall be funded from 25% of the Measure I 2010-2040 revenue collected within the subarea. This amount shall be reserved in a special account to be expended on Major/Local Highway Projects of benefit to the subarea. Major/Local Highway Projects are defined as major streets and highways serving as primary routes of travel within the subarea, which may include State highways and freeways. Where appropriate, Major/Local Highway Projects funds can be utilized to leverage other state and federal funds for transportation projects and to perform advance planning/project reports.



2. Policy VVMLH-2 - Victor Valley Major/Local Highways funds shall be allocated to each jurisdiction over the 30-year life of the Measure, subject to the qualifications stated in the policies below.
  - a. Allocations through the term of the Measure shall be made factoring in geographic equity throughout the subarea as adjusted to account for the time-value of money, per Policy VVMLH-4 listed below.
  - b. Allocations shall be made to projects from candidate project lists developed in cooperation with transportation planning partners.
  - c. Allocations shall serve to maximize leveraging of private, local, Federal, and State dollars, with particular attention to leveraging of Interregional Transportation Improvement Program Funds on the Interregional Road System.
  - d. Allocations shall be made with an objective of delivering major improvements at the earliest possible date.
  - e. SANBAG shall actively engage in planning and project delivery of Major/Local highway Projects in collaboration with local jurisdictions and Caltrans in a manner which will minimize the time and cost of project delivery.
3. Policy VVMLH-3 - A master list of projects eligible for Victor Valley Major/Local Highways Program funding shall be maintained and periodically updated. The list shall be consistent with the project eligibility criteria in Policy VVMLH-1 and shall be approved by the SANBAG Board, based on a recommendation of the Victor Valley subarea representatives and the Mountain/Desert Committee. In preparing the list, input shall be considered from each of the five local jurisdictions and from other stakeholders. The list shall represent the list of eligible projects and shall not represent a commitment by SANBAG to fund all or a portion of those projects. Funding commitments will be managed under the terms of Policy VVMLH-6 shown below.
4. Policy VVMLH-4 - Adjustments for the time-value of money referenced in Policy VVMLH-2 shall be based on comparisons of the net present value of Measure I Major/Local Highway Program expenditures by Victor Valley jurisdictions, calculated using a discount rate based on the annual change in the Consumer Price Index for the State of California, as maintained by the California Department of Finance. The expenditure date shall be based on the date of consultant/contractor invoices provided to SANBAG for reimbursement on eligible Major/Local Highways Program projects.
5. Policy VVMLH-5 - By September 30 of each year, Victor Valley jurisdictions must submit a Five Year Capital Projects Needs Analysis (CPNA) for projects in the Victor Valley Major/Local Highways Program. The CPNAs cover a five year prospective period that commences the following fiscal year. The needs analysis shall document project needs by fiscal year and include anticipated funding sources, funding amounts and project phasing where appropriate. The needs analysis shall also demonstrate the availability of the development mitigation fair share funds. Approval of a jurisdiction's CPNA by the city council/Board of Supervisors must be accommodated within the timeframe of the September 30 submittal date.
6. Policy VVMLH-6 - In approximately March of each year, the SANBAG Board shall apportion Measure I dollars to the Major/Local Highways program and allocate funds to Victor Valley projects, based on a recommendation of the Victor Valley subarea representatives and the Mountain/Desert Committee. The Victor Valley subarea and Mountain/Desert Committee recommendation shall be informed by requests of Measure I funds contained in the Capital Projects Needs Analysis (CPNA), the status of equitable share percentages from prior years, SANBAG's forecast of Measure I revenue that may be available for the Major/Local Highways Program, and SANBAG's assessment of opportunities for leveraging of State and federal funds. The recommendation shall include a table of project phases recommended for funding, project costs, Measure I requests, other funding sources, and the allocation of costs to jurisdictions, at a minimum. SANBAG staff shall maintain a cumulative accounting of allocations to projects by jurisdiction, adding allocations to jurisdictions' accounts each year. Measure I funds shall be retained by SANBAG until reimbursed to jurisdictions based on invoices received.

## **B. Development Fair Share Contribution**

1. Policy VVMLH-8 - Development Fair Share Contribution is required by Measure I 2010-2040 for Major/Local Highway Projects covered under the Development Mitigation Nexus Study for the urbanized areas or a Traffic Impact Analysis in the non-urban areas, excluding any eligible freeway mainline projects. Development fair share for arterials, interchanges and railroad grade crossings are determined by using the 2007 SANBAG Development Mitigation Nexus Study or by subsequent updates to the Nexus Study as may be adopted by the SANBAG Board of Directors or in non-urban areas by a Traffic Impact Analysis as required by the SANBAG Congestion management Plan.
2. Policy VVMLH-9 - Jurisdictions may borrow from other internal accounts (i.e. within their own jurisdictions) to fund the development fair share for projects. The development mitigation account shall reimburse the source of the loan as development occurs.

### **C. Cost Reimbursement**

1. Policy VVMLH-10 - The Major/Local Highway program shall be administered as a cost reimbursement program. Sponsoring agencies shall enter into Project Funding Agreements with SANBAG prior to receiving authorization from SANBAG to expend funds. Following the authorization to expend funds, the sponsoring agency may incur expenses for the components of the project identified in the scope of work included in the Project Funding Agreement.
2. Policy VVMLH-11 - Advance reimbursement shall be available to jurisdictions on an exception basis and subject to Mountain/Desert Committee and SANBAG Board approval. Such advance reimbursements shall be limited to the public share of right-of-way acquisition and based on a qualified written appraisal.
3. Policy VVMLH-12 - A local jurisdiction may begin expenditure of funds following the execution of the Project Funding Agreement. The Project Funding Agreement shall include the scope of work for a project or project phase and a commitment to provide the development share of the funding through all the phases of the project, as required by Policy VVMLH-8. The Project Funding Agreement shall be executed by the local jurisdiction and SANBAG prior to the expenditure of funding on any phase of the project. Local jurisdictions shall not be reimbursed for any costs incurred prior to the execution of the Project Funding Agreement.
4. Policy VVMLH-13 - Local jurisdictions that desire to deliver a Major/Local Highway project to which funds cannot be allocated in a given year shall be eligible for reimbursement through an Advance Expenditure Agreement.

### **D. Local Jurisdiction Invoices**

1. Policy VVMLH-14 - Local jurisdictions shall submit invoices to SANBAG for actual expenditures incurred for components of a project as identified in the scope of work included in the Project Funding Agreement. Invoices may be submitted to SANBAG no more frequently than monthly.
2. Policy VVMLH-15 - Local jurisdictions shall provide adequate documentation to substantiate the costs included in the invoice. At a minimum, the jurisdiction must submit the invoice provided by the contractor to the agency, which shall include unit costs, quantities, labor rates and other documentation, as appropriate, to substantiate expenses incurred by the contractor.
3. Policy VVMLH-16 - The sponsoring agency shall be reimbursed for the actual project costs minus the development mitigation fair share percentage documented in the SANBAG Development Mitigation Nexus Study, up to the limit of Measure I Major/Local Highway funding specified in the Project Funding Agreement.

### **E. Local Jurisdiction Reimbursement Schedule**

1. Policy VVMLH-17 - SANBAG shall reimburse the local jurisdiction for eligible expenditures within 30 days of receiving a complete and satisfactory invoice package.

### **F. Development Mitigation Fair Share Credit Agreements**

1. Policy VVMLH-18 - Local jurisdictions and developers shall be allowed to enter into credit agreements. Such agreements will be strictly between the local jurisdiction and the developer. Jurisdictions are advised to provide these credit agreements to SANBAG for review to ensure they are structured in a way that will adequately document private share costs for which the jurisdiction desires credit.
2. Policy VVMLH-19 - A copy of the credit agreement and invoices to substantiate quantities and unit costs for a Nexus Study project included in a credit agreement shall be provided when a local jurisdiction submits an invoice for reimbursement.
3. Policy VVMLH-20 - Local jurisdictions that submit an invoice involving a credit agreement shall separate the development mitigation portion of construction costs from any non-development mitigation portion of the development project in a verifiable fashion.

#### **G. Ineligible Expenditures**

1. Policy VVMLH-21 - The following costs are ineligible for reimbursement:
  - Additional environmental or architectural enhancement not required as part of the mitigation established in the environmental document(s) prepared for a project.
  - Project oversight costs, with the exception of construction support costs
  - Property acquired through the right-of-way acquisition process that is not required for the actual construction of a project.
  - Additional project scope not included in the Project Funding Agreement between the sponsoring agency and SANBAG

#### **H. Construction Cost Overruns**

1. Policy VVMLH-22 - Jurisdictions shall bear full responsibility for construction cost overruns, which is established as any amount in excess of the total cost of the accepted bid and reasonable contingency amount included in the construction contract.

#### **I. SANBAG Project Oversight**

1. Policy VVMLH-23 - SANBAG may manage development and delivery of Major/Local Highway projects when requested to do so by the sponsoring jurisdiction. In such cases, SANBAG's costs for project oversight shall be borne by the sponsoring agency.
2. Policy VVMLH-24 –The following conditions are established for projects under SANBAG project oversight:
  - The sponsoring agency must submit a written request for SANBAG oversight of the project
  - SANBAG staff or SANBAG consultants must have available staff resources for project oversight
  - The sponsoring agency shall pay actual SANBAG project oversight costs, to be estimated in advance by SANBAG, as documented by the SANBAG financial management system.

## **VI. REVISION HISTORY**

Revision No.	Revisions	Adopted
0	Adopted by the Board of Directors.	mm/dd/yyyy
1	Provide list of changes.	mm/dd/yyyy

San Bernardino Associated Governments	<b>Policy</b>	4xxxx
Adopted by the Board of Directors	Month Day, Year	Revised
<b>Victor Valley Project Development and Traffic Management Systems 2010 – 2040 Measure I Strategic Plan</b>		Revision No.
		0

**Important Notice:** A hardcopy of this document may not be the document currently in effect. The current version is always the version on the SANBAG Intranet.

Note: This notice is left off draft policies and is only inserted when posted to the SANBAG Intranet. Terri

#### Table of Contents

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Note: This area is used to link to bookmarks inserted in the main paragraph headings. Terri

## I. PURPOSE

The purpose of this policy is to establish guidelines relating to the selection, prioritization and allocation of Project Development and Traffic Management System funds from Measure I 2010-2040.

## II. REFERENCES

1. Ordinance No. 04-01 of the San Bernardino County Transportation Authority, Exhibit A – Transportation Expenditure Plan.

## III. DEFINITIONS

1. **Victor Valley Project Development and Traffic Management Systems Program:** 2% of the total Measure I 2010-2040 revenue collected in the Victor Valley Subarea will be reserved for Project Development and Traffic Management Systems.
2. **Project Development and Traffic Management Systems Projects:** This program will be used to fund projects including but not limited to corridor studies, project study reports, projects to improve traffic flow and maximize use of traffic facilities, congestion management, commuter assistance programs and programs which contribute to environmental enhancement associated with highway facilities.

## IV. POLICY FRAMEWORK FOR THE VICTOR VALLEY PROJECT DEVELOPMENT AND TRAFFIC MANAGEMENT SYSTEMS PROGRAM

### A. Project Development and Traffic Management Systems Program Allocation

1. SANBAG will develop and maintain a separate fund for the Project Development and Traffic Management Systems Program (PDTMS).
2. SANBAG will make the monthly allocations to the PDTMS fund using the following procedure:
  - a. Determine total amount of Measure I Sales Tax generated in the subarea from information submitted by the State Board of Equalization.
  - b. Multiply the total Measure I Sales Tax received for the month by 0.02 to arrive at the total subarea PDTMS Allocation.
3. Expenditures in a given year may exceed the funds received by the program that year as long as repayment to the source of the additional funds occurs in subsequent years, funding for an approved capital project is not compromised, accurate project tracking and accounting procedures are maintained, including time-value of money considerations, and PDTMS expenditures over the life of Measure I 2010-2040 do not exceed 2 percent of the total Measure I revenues.

## **B. Project Eligibility**

1. The types of projects eligible for use of the PDTMS Program funds includes but are not limited to corridor studies, project study reports, projects to improve traffic flow and maximize use of transportation facilities, congestion management, commuter assistance programs, and projects which contribute to environmental enhancement associated with highway facilities.
2. The funds shall not be expended for actual capital improvements, but shall be used as "seed money" to support planning and creation of long-term or permanent transportation management programs or advance project development planning for projects of significance to the subarea.

## **C. Project Selection and Prioritization Criteria**

1. In approximately March of each year, the SANBAG Board of Directors shall allocate PDTMS funds to Victor Valley projects based on a recommendation of the Victor Valley subarea representatives and the Mountain/Desert Committee.
2. Projects funded by the PDTMS Program shall be of multi-jurisdictional significance and indirect benefits of the project should affect much of the Victor Valley subarea.
3. Projects shall be selected and prioritized on the basis of the likelihood of successful implementation and the degree of resultant quality of life or environmental benefit.
4. Legislatively mandated transportation management and environmental enhancement projects for which adequate funding is not available from other sources may receive priority from this program.
5. Projects sponsored or co-sponsored by entities which will share in funding or match PDTMS Program funds will receive priority
6. Projects which propose to use PDTMS funds in a cost-effective manner, including leveraging of additional funds for use by the project or creating beneficial multiplier effects, shall receive priority.
7. Projects shall be selected and prioritized by readiness and ability to achieve significant near-term benefits.

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## **VI. REVISION HISTORY**

Revision No.	Revisions	Adopted
0	Adopted by the Board of Directors.	mm/dd/yyyy
1	Provide list of changes.	mm/dd/yyyy

AB	Assembly Bill
ACE	Alameda Corridor East
ACT	Association for Commuter Transportation
ADA	Americans with Disabilities Act
APTA	American Public Transportation Association
AQMP	Air Quality Management Plan
ATMIS	Advanced Transportation Management Information Systems
BAT	Barstow Area Transit
CAC	Call Answering Center
CALACT	California Association for Coordination Transportation
CALCOG	California Association of Councils of Governments
CALSAFE	California Committee for Service Authorities for Freeway Emergencies
CALTRANS	California Department of Transportation
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CHP	California Highway Patrol
CMAQ	Congestion Mitigation and Air Quality
CMP	Congestion Management Program
CNG	Compressed Natural Gas
COG	Council of Governments
CSAC	California State Association of Counties
CTA	California Transit Association
CTAA	Community Transportation Association of America
CTC	California Transportation Commission
CTC	County Transportation Commission
CTP	Comprehensive Transportation Plan
DMO	Data Management Office
DOT	Department of Transportation
E&H	Elderly and Handicapped
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EPA	United States Environmental Protection Agency
ETC	Employee Transportation Coordinator
FEIS	Final Environmental Impact Statement
FHWA	Federal Highway Administration
FSP	Freeway Service Patrol
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
GFOA	Government Finance Officers Association
GIS	Geographic Information Systems
HOV	High-Occupancy Vehicle
ICMA	International City/County Management Association
ICTC	Interstate Clean Transportation Corridor
IEEP	Inland Empire Economic Partnership
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
IIP/ITIP	Interregional Transportation Improvement Program
ITS	Intelligent Transportation Systems
IVDA	Inland Valley Development Agency
JARC	Job Access Reverse Commute
LACMTA	Los Angeles County Metropolitan Transportation Authority
LNG	Liquefied Natural Gas
LTF	Local Transportation Funds
MAGLEV	Magnetic Levitation
MARTA	Mountain Area Regional Transportation Authority
MBTA	Morongo Basin Transit Authority
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
MIS	Major Investment Study
MOU	Memorandum of Understanding

MPO	Metropolitan Planning Organization
MSRC	Mobile Source Air Pollution Reduction Review Committee
MTP	Metropolitan Transportation Plan
NAT	Needles Area Transit
OA	Obligation Authority
OCTA	Orange County Transportation Authority
OWP	Overall Work Program
PA&ED	Project Approval and Environmental Document
PASTACC	Public and Specialized Transportation Advisory and Coordinating Council
PDT	Project Development Team
PPM	Planning, Programming and Monitoring Funds
PSR	Project Study Report
PTA	Public Transportation Account
PVEA	Petroleum Violation Escrow Account
RCTC	Riverside County Transportation Commission
RDA	Redevelopment Agency
RFP	Request for Proposal
RIP	Regional Improvement Program
ROD	Record of Decision
RTAC	Regional Transportation Agencies' Coalition
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agencies
SB	Senate Bill
SAFE	Service Authority for Freeway Emergencies
SANBAG	San Bernardino Associated Governments
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCRRA	Southern California Regional Rail Authority
SED	Socioeconomic Data
SHA	State Highway Account
SHOPP	State Highway Operations and Protection Program
SOV	Single-Occupant Vehicle
S RTP	Short Range Transit Plan
STAF	State Transit Assistance Funds
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TAC	Technical Advisory Committee
TCM	Transportation Control Measure
TCRP	Traffic Congestion Relief Program
TDA	Transportation Development Act
TEA	Transportation Enhancement Activities
TEA-21	Transportation Equity Act for the 21 <sup>st</sup> Century
TIA	Traffic Impact Analysis
TMC	Transportation Management Center
TMEE	Traffic Management and Environmental Enhancement
TOC	Traffic Operations Center
TOPRS	Transit Operator Performance Reporting System
TSM	Transportation Systems Management
USFWS	United States Fish and Wildlife Service
UZAs	Urbanized Areas
VCTC	Ventura County Transportation Commission
VVTA	Victor Valley Transit Authority
WRCOG	Western Riverside Council of Governments

## ***San Bernardino Associated Governments***



### **MISSION STATEMENT**

To enhance the quality of life for all residents, San Bernardino Associated Governments (SANBAG) will:

- Improve cooperative regional planning
- Develop an accessible, efficient, multi-modal transportation system
- Strengthen economic development efforts
- Exert leadership in creative problem solving

To successfully accomplish this mission, SANBAG will foster enhanced relationships among all of its stakeholders while adding to the value of local governments.

Approved June 2, 1993  
Reaffirmed March 6, 1996